



Planning Division

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Stephanie Diaz, Contract Planner

DATE: May 7, 2009

SUBJECT: Planning and Zoning Permit Nos. 08-540-02 and -03 (Planned Development Permits), 08-535-01 (Density Bonus Permit), and 08-300-08 (Tentative Parcel Map). Located at 457 Gonzales Road.

- 1) Recommendation:** That the Planning Commission:
 - a)** Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines sections 15192 and 15194 construction of affordable housing projects consisting of not more than 100 units in an urbanized area.
 - b)** Adopt a resolution approving Planning and Zoning Permit No. 08-540-02 (Planned Development Permit) for a 24-unit affordable housing project plus a manager's unit, including zoning modifications, subject to certain findings and conditions.
 - c)** Adopt a resolution approving Planning and Zoning Permit No. 08-450-03 (Planned Development Permit) for a 17-unit affordable housing project plus a manager's unit, including zoning modifications, subject to certain findings and conditions.
 - d)** Adopt a resolution recommending that the City Council approve Planning and Zoning Permit 08-535-01 (Density Bonus Permit with three Incentives) for a 24-unit affordable housing project plus manager's unit, subject to certain findings and conditions.
 - e)** Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 08-300-08 (Tentative Parcel Map) for a two lot subdivision, subject to certain findings and conditions.

- 2) Project Description and Applicant:** This is a request to subdivide one vacant lot currently addressed as 457 West Gonzales Road into two parcels to develop two affordable multi-family apartment complexes. Lot 1 on 0.93 acres (Paseo de Luz) proposes 24 very-low income units for Special Needs Housing and one on-site manager's unit. This site includes a Density Bonus request for nine units above the 16 units allowed by City Code, a request for three density bonus incentives and a planned development permit for zone code modifications. Thirty-nine parking spaces are proposed on Lot 1. A reciprocal parking and access agreement will allow excess parking spaces to be used for Lot 2 visitor parking requirements. Lot 2, 1.07 acres (Camino Gonzalez) proposes 17

low- and very-low income units for Farmworker Housing and one on-site manager's unit. This complex includes a planned development permit for zoning modifications and administrative relief from parking provisions for nine visitor parking spaces to be shared with the development on Lot 1. A total of 39 parking spaces would be provided for this complex. Filed by Cabrillo Economic Development Corporation, 702 County Square Drive, Ventura, CA 93003.

3) Existing & Surrounding Land Uses: The existing site is located just west of the intersection of Gonzales Road and North "C" Street, fronting on Gonzales Road on Assessor's Parcel No. 139-0-250-035. Urban development surrounds the site on all sides. The site is vacant.

Direction	Project Site	Surrounding Land Use	Surrounding Land Use
	Project Site	R-3 PD Garden Apartment Planned Development	RM Residential Medium, 13-18 units per acres
North		C-2 PD General Commercial Planed Development	PSD Public/Semi Public
South		R-3 PD Garden Apartment Planned Development	RH Residential high, 19-30 units per acre
East		CO PD Commercial Office Planned Development	CO Commercial Office
West		R-3 PD Garden Apartment Planned Development	RH Residential high, 19-30 units per acre

4) Background Information: In 2005, a General Plan map amendment was approved designating the site Medium Density Residential and a zone map amendment was approved designating the site R-3 PD to permit the construction of 36 condominium units. That project was never constructed. The planned development permit for that project has expired. Cabrillo Economic Development Corporation submitted an earlier version of this project that has been updated as described in this report.

5) Environmental Determination: In accordance with California Environmental Quality Act (CEQA) Guidelines sections 15192 and 15194, CEQA does not apply to the construction of affordable housing projects consisting of not more than 100 units in an urbanized area provided that the following applies:

- A. The site is not more than five acres in area. *The site has an area of 2.0 acres.*
- B. The project consists of 50 or fewer units and the site is within an incorporated city with a population of at least 25,000 persons. *The project contains 43 units. The site is located in an urban neighborhood within the City of Oxnard that has a population*

over 25,000 persons (200,000).

- C. The parcels immediately adjacent to the site are developed with urban uses. *The site is surrounded on all sides with urban development.*
- D. The project consists of the construction of low-income affordable housing of less than 100 units. *The project consists of 41 low and very-low income affordable units.*
- E. The developer provides sufficient legal commitments to ensure affordability for low income households for a period of at least 30 years. *The project proposes 41 very low and low- income units. Federal tax credit program monies will be used that require a written agreement for 55 years affordability.*
- F. Is consistent with the General Plan. *The project proposes two components: a 25 unit multi-family complex with 24 very-low income units and one manager's unit which are consistent with the General Plan land use designation with the application of State density bonus law and an 18 unit multi-family complex with 17 low-income units and one manager's unit with a density of 18 units per acre. The project is consistent with the General Medium Residential land use designation.*
- G. Is consistent with local zoning. *The zoning allows detached and attached multi-family residential and uses with a Planned Development Permit. The project is designed to be consistent with the applicable sections of the Zoning Ordinance with a Density Bonus Permit, three Density Bonus Incentives and requests for Planned Development modifications as permitted in the Zoning Ordinance.*
- H. The site is or can be adequately served by utilities. *City water and sewer lines are present in Gonzales Road at the site frontage. Electricity and gas are also present to serve the site.*
- I. The site does not contain wetlands, has no value as a wildlife habitat and the project does not harm any species protected by the Endangered Species Act. *Because the site is small, has no native vegetation, and is surrounded by existing urban uses, it contains no wetlands, has little value for wildlife habitat and the project would not harm any species protected by the Endangered Species Act.*
- J. It will not involve the demolition of, or any substantial adverse change in, any district, landmark, object, building, structure, site, area, or place that is listed, or determined to be eligible for listing in the California Register of Historic Resources. *The site is vacant. No historic resources are known to exist on the site.*
- K. It will not involve the demolition of any historical building or structure. *The site is vacant and will not involve the demolition of historic structures.*
- L. The site is not included on any list of hazardous waste or other facilities and sites

compiled pursuant to Section 65962.5 of the Government Code, and the site has been subject to an assessment by a California registered environmental assessor to determine both the presence of hazardous contaminants, if any, and the potential for exposure of site occupants to significant health hazards from nearby properties and activities. *The site is not included on any list of hazardous waste sites. An assessment has been performed and determined that no toxic hazards exist on site.*

M. Community level environmental review has been adopted or certified. The Oxnard 2020 General Plan EIR is a community level environmental review for cumulative growth in the City.

Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (see Attachment C).

6) Analysis:

- a) **General Discussion:** The proposed development includes two affordable multi-housing projects on separate lots. Lot 1 is a complex proposed for 24 special need tenants who are adults with developmental disabilities. Twenty-four of these units will be rented at very-low rates; 11 at 20% of Area Median Income (AMI), 11 at 30% of AMI and two at 50% of AMI. Applicant is a non-profit affordable housing development corporation and has stated that funding for this project is proposed from HUD special needs section 811, HCD special needs fund and Mental Health Services Funding. All funding sources require a 55-year affordability commitment. Additionally, this project has requested a density bonus permit that requires a minimum affordability commitment of 30 years. Lot 2 is proposed to serve farmworkers. Seventeen of these units will be rented at very-low rates (two units at 30% of AMI, three units at 45% of AMI, and 12 units at 50% of AMI). Funding for this project is State Tax Credits, USDA Rural Development Loan and City of Oxnard In-Lieu Housing Fees. These funding sources require a 55-year affordability commitment. Depending on funding availability, the development of each complex could be phased, Lot 1 would have to be the first phase.
- b) **General Plan Consistency:** This multi-family residential project is consistent with the General Plan Land Use Designation of Residential Medium 13-18 units per acre. A density bonus pursuant to the City's ordinance for "Incentives to Create Affordable Housing" (State Density Bonus law) is requested for nine units on Parcel 1, the Paseo de Luz complex. The City's Ordinance mandates that the City provide a density bonus when ten percent of the total units in a housing development are for low-income households. Such a density bonus is consistent with the General Plan. The Paseo de Luz complex proposes 100% of the units (25) to be affordable, including 24 for extremely-low income special needs households and one moderate-income managers unit. The complex requests a 56% density increase. Parcel 2, the Camino Gonzales complex, is also consistent with the General Plan Land Use designation. Camino Gonzales has a density of 18 units per acres. The project can also be found consistent with the following General Plan policies:

POLICY	CONFORMANCE
<i>Development Policy #2 (page IV-21) states that "First priority for development is assigned to...infill properties and for which public services area already present."</i>	The project site is vacant and surrounded by urban uses and can be adequately served by all required utilities and public services. Development of the project site would reduce the need to expand current services. Therefore, consistency with this policy may be found.
<i>Open Space C. #23 (page VIII-53) states that "The City shall require minimization of paved and impervious surfaces to the extent feasible in new developments."</i>	The project's paved surfaces include only those areas required for parking, parking access, and emergency access. All other non-structure areas are landscaped except for the half-court basketball that is conditioned to provide a pervious surface.
<i>Housing Policy #1.6 (page V-7) states "Continue to support the modernization of public housing, City-assisted housing, and other homes affordable to lower-income households."</i>	41 affordable housing units for very low and low income residents are proposed. Therefore, consistency with this policy may be found.
<i>Housing Policy 3.1 (page V-9) "Use Federal, State and local resources, to the extent available and feasible, to support affordable housing production and set-aside a portion of units for lower-income large families and farm workers."</i>	Funding sources for the project are the US Department of Housing and Urban Development (HUD) Section 811 Program, California Housing Finance Agency, Local Housing Trust Fund, and Oxnard In Lieu Developer Fees. Therefore, consistency with this policy may be found.
<i>Housing Policy 3.2 (page V-9) "Support collaborative partnerships of nonprofit organizations, affordable housing builders, and for-profit developers, to provide greater access to affordable housing funds."</i>	CEDC is a collaborative partner with the Ventura County Community Development Corporation nonprofit lending affiliate. Together, they build and manage rental and for-sale affordable homes and provide loans to very-low, low, and moderate income families. Therefore, consistency with this policy may be found.
<i>Housing Policy 2.2 (page V-8) "Encourage the production of housing that meets the needs of all economic segments of the population"</i>	The project will provide 43 affordable rental apartment units for special needs households and farmworker households. Therefore, consistency with this policy may be found.
<i>Housing Policy 4.4 (page V-10) "Support infill housing developments at suitable locations"</i>	The project involves the infill development of multi-family units on a vacant lot that is surrounded by urban development. Therefore, consistency with this policy may be found.

- c) **Conformance with Zoning Development Standards:** The proposed development is located in the Garden Apartment Planned Development (R-3 PD) zone district. In accordance with the City Code, the proposed affordable multi-family development may be permitted with an approved planned development permit related to zoning modifications for both residential complexes. A density bonus permit with three Incentives for zoning code modifications is requested for the Paseo de Luz complex to allow nine more units than the 16 allowed by zoning. Administrative relief from parking provisions is requested for visitor parking to serve the Camino Gonzales complex. The

City's Inclusionary Housing Ordinance does not apply to these 100% affordable projects. Applicable development standards of the R-3 zone and the Attached Dwelling Unit Development Standards have been compared with the proposed project, as follows:

**Lot 1: Planned Development Permit and Density Bonus Permit
 Paseo de Luz, 25 Units Special Needs Housing
 R-3 & Attached Dwelling Unit Standards**

Standard	Standard	Proposed	Compliance
Density	2,400 square feet for each dwelling unit, maximum 18 units/acre: 16 units	25 units (9 density bonus units) 56% density increase (100% of project is affordable)	Yes, with Density Bonus Permit
Max. building height	3 stories not to exceed 35 feet.	3 stories, 33'9"	Yes
Front Yard Setback	20 feet	25 ft to existing property line; 15 ft if future ROW dedication Meets PD requirement.	Yes, with PD Permit, allows 25% modification
Side Yard Setback	5 feet for 1-2 story buildings; 7.5 feet for 2.5 story buildings	31 – 37 ft	Yes
Rear Yard Setback	25 feet	30 ft	Yes
Interior Yard Space & Attached Dwelling Unit Standard: Open Area	30% of lot area: 12,153 sf (15' x 15' minimum dimensions) (25% of IYS may be on decks of at least 150 sf.) 2,500 sf minimum lawn area; 35ft x 35ft minimum dimensions	15% of lot area: 6,219 sf; Some areas less than 15'x 15' dimensions 1235 sf; meets min. dimension	Yes, Density Bonus Incentive #1
Resident Parking Requirement	Per State Density Bonus law: One space/One-bedroom: 24 Two spaces/2-3 bedrooms: 2 Total resident parking: 26 spaces	19 spaces (garages) 7 open spaces 26 total residential spaces	Yes
Visitor Parking Requirement	Per State Density Bonus law: No requirement	13 spaces available for visitors per reciprocal parking with adjacent project	Yes, extra 13 spaces
Fence/Hedge Front Yard	50% open up to 42 inches or Solid wall 18 inches	18" solid walls	Yes
Fence/Hedge Side & Rear Yard	Not to exceed 7 feet Zone Wall solid 6-8 ft	8' solid Zone Wall side and rear	Yes
Parking Landscaping	10-ft strip along street or alley; parking area: 9,039 sf parking area 5% of = 451 sf landscaping	15+ ft on frontage 67% in landscaping = 6,066 sf	Yes Yes

	9-ft planter every 10 spaces, 2 trees	9-ft planters w/2 trees	Yes
Attached Dwelling Unit Standard: Dwelling unit size	One-bedroom: 700 sf Two-bedroom: 900 sf	24 one-bedroom units less than 700 sf (424-515 sf); 1 two-bedroom unit less than 900 sf (799 sf)	Yes, Density Bonus Incentive #2
Attached Dwelling Unit Standard: Minimum storage area	225 cubic feet per unit	2 of 25 units meet standard 23 units have 169-221 cubic feet, plus attic space. Meets PD Requirement.	Yes, with PD Permit, allows 25% modification
Attached Dwelling Unit Standard: Bldg separation	Minimum distance equal to height of adjacent structures: 23'6"	32 ft	Yes
Attached Dwelling Unit Standard: Common Recreation facilities	One of following: pool, spa, tennis, basketball, volleyball, BBQ, rec. building, exercise course, children's play equipment	BBQ, picnic area, common courtyards, community room, community kitchen	Yes
Attached Dwelling Unit Standard: Balcony/patio for second story units	Second story units to have one balcony or patio (private or in common area. Minimum 10 ft dimension	Bldg 1: 5 units have no second/third floor balcony/patio, 6 balconies/patios are less than 10x10 dimension Bldg 2: meets balcony/patio requirement, 3 balconies/patios are less than the 10x10 dimension	Yes, Density Bonus Incentive #3
Attached Dwelling Unit Standard: Balcony Enclosure	Walls or railings that provide 50% enclosure	Railings with 50% enclosures	Yes
Attached Dwelling Unit Standard: Distance to Garage	Maximum 75 feet from unit to garage	13 of 25 units comply 12 units have 76-93 ft separation Meets PD requirement	Yes, with PD Permit, allows 25% modification
Attached Dwelling Unit Standard: Garage Doors	Provide automatic door opener	Automatic door openers provided	Yes
Attached Dwelling Unit Standard: Utility Meter	Wall mounted meters to be screened or integrated into bldg	Wall mounted meters screened or integrated into bldg	Yes
Attached Dwelling Unit Standard: Refuse Enclosure	Design to reflect elements of residential units and provide pedestrian access	Design and pedestrian access	Yes

**Lot 2: Planned Development Permit
 Camino Gonzales, 18 Units Farmworker Housing
 R-3 & Attached Dwelling Unit Standards**

Standard	Requirement	Proposed	Compliance
Density	2,400 square feet for each dwelling units, maximum 18 units/acre	18 units/acre	Yes
Max. building height	3 stories not to exceed 35 feet.	32'4"	Yes
Front Yard Setback	20 feet; 15 feet if access from alley	25 ft to existing property line; 15 ft if ROW dedication	Yes
Side Yard Setback	5-feet for 1-2 story buildings; 7.5-feet for 2.5 story or more buildings	7'2" on the west side. Meets PD requirement	Yes, with PD Permit, allows 25% modification
Rear Yard Setback	25 feet	32'6"	Yes
Interior Yard Space & Attached Dwelling Unit Standard: Open Area	30% of lot area: 13,983 sf (25% of IYS may be on decks of at least 150 sf.) 15' x 15' minimum dimensions 2,500 sf minimum open area; 35ft x 35ft minimum dimensions	25% of required space: 10,487 sf; Meets PD requirements. Some areas less than 15'x 15' dimensions. Meets PD requirement	Yes, with PD Permit, allows 25% modification
Resident Parking Requirement	One garage space/1-bedroom: 7 Two garage spaces/2 or more bedrooms: 22 Total resident parking: 29	30 garages	Yes
Visitor Parking Requirement	One space/ 1 st 30 units: 18 open spaces	9 open spaces and reciprocal parking agreement with adjacent property (Lot 1) for 9 spaces	Yes, with relief from parking provisions
Fence/Hedge Front Yard	50% open up to 42 inches or Solid wall 18 inches	18" solid walls	Yes
Fence/Hedge Side & Rear Yard	Not to exceed 7 feet Zone Wall solid 6-8 ft	Side: Existing non-conforming condition, adjacent west carport wall 9' tall; landscape screen for vines to be 7 ft tall; Rear: 8' solid Zone Wall	Yes
Parking Landscaping	10-ft strip along street or alley; 5% of parking area: 266 sf 9-ft planter every 10 spaces /2trees	15 ft strip at front; 63%/3368 sf; 9-ft planters w/2 trees	Yes

ATTACHED DWELLING UNIT STANDARD	PROPOSED UNIT STANDARD	REQUIREMENTS	COMPLIANCE
Attached Dwelling Unit Standard: Minimum dwelling unit size	One-bedroom: 700 sf Two-bedroom: 900 sf	2 of 7 one-bedroom units less than 700 sf (662&640 sf). Meets PD requirement. 4 of 11 two/three bedroom units less than 900 sf (802-836 sf). Meets PD requirement.	Yes, with PD Permit, allows 25% modification
Attached Dwelling Unit Standard: Minimum storage area	225 cubic feet per unit	6 units comply; 12 have less (170 to 224 cf) attic space is provided. Meets PD requirement.	Yes, with PD Permit, allows 25% modification
Attached Dwelling Unit Standard: Bldg separation	Minimum distance equal to height of structures: 33'3"	35 feet	Yes
Attached Dwelling Unit Standard: Common RecFacilities	One of following: pool, spa, tennis, basketball, volleyball, BBQ, rec. building, exercise course, tot lot	Basketball court, tot lot, BBQ, community room, community kitchen	Yes
Attached Dwelling Unit Standard: Balcony/patio for second story units	Second story units to have one balcony or patio, (private or in common area). Minimum 10 ft dimension	Bldg 3: All second/third story units have patios; All patios meet minimum dimensions. Bldg. 4: All second/third story units have patios; 2 patios do not meet the 10x10 dimension. Meets PD requirement.	Yes Yes, with PD Permit, allows 25% modification
Attached Dwelling Unit Standard: Balcony Enclosure	Walls or railings that provide 50% enclosure	50% enclosure provided	Yes
Attached Dwelling Unit Standard: Distance to Garage	Maximum 75 feet from unit to garage	12 units comply; 6 units are 78 to 94 feet. Meets PD requirement.	Yes Yes, with PD Permit, allows 25% modification
Attached Dwelling Unit Standard: Garage Doors	Provide automatic door opener	Automatic door openers provided	Yes
Attached Dwelling Unit Standard: Utility Meter	Wall mounted meters to be screened or integrated into bldg	Wall mounted meters screened or integrated into bldg	Yes
Attached Dwelling Unit Standard: Refuse Enclosure	Design to reflect elements of residential units and provide pedestrian access	Design and pedestrian access	Yes

Below is a summary of the zone standard modification requests, as outlined above. These modifications fall into three categories. First, the Planned Development Additive zone allows the Planning Commission to grant up to a 25% increase or decrease to numerical standards such as height, setback, etc. Second, State law and the City's Density Bonus Ordinance requires the City to approve three incentive requests for zone code modifications (unless certain findings are made) when a project includes at least 30% of the total units for lower income households. Lastly, the City's Parking Ordinance allows the Planning Commission to grant administrative relief from parking requirements when shared parking is proposed and is supported by a parking study.

Lot 1 Paseo de Luz

- Density Bonus Incentives (3): Reduced Interior Yard/Open Space, some units with reduced bedroom size, some units have no second story balcony/patio and some balcony/patios are less than the minimum 10 ft dimension.
- Planned Development Permit: Reduced front yard setback (if ROW offer is accepted), units with smaller storage areas, although attic space is provided, and units with more than 75 ft distance to garage.

Lot 2 Camino Gonzales

- Planned Development Permit: Reduced side yard setback, reduced Interior Yard/Open Space, some units with reduced size, units with smaller storage space, although attic space is provided, units with second floor balconies/patios that do not meet the minimum 10 ft dimension, and units with more than 75 ft distance to garage.
- Administrative Parking Relief: Off-site parking agreement to allow nine visitor parking spaces to be provided on Lot 1 (Paseo de Luz).

- d) **Tentative Parcel Map**: The existing 2-acre vacant parcel is proposed to be subdivided into two parcels. Lot 1 would be 0.93 acres in size and is proposed to be developed with a 25-unit affordable density bonus apartment complex. Lot 2 would be 1.07 acres in size and is proposed to be developed with an 18-unit affordable apartment complex. This map includes the dedication of a 10-foot wide strip of land along the property frontage. This dedication is for right-of-way for future potential widening of Gonzales Road. Utility easements for Edison and Verizon have been accommodated in the plan.
- e) **Site Design**: The project is designed with two multi-family complexes on adjacent parcels. The two developments basically mirror each other. Lot 1 (Paseo de Luz) contains two buildings. Facing Gonzales Road is a two-story building with five units. The second building is two-stories with a three-story element. It is located at the rear of the lot. This building contains 20 units. Both buildings include tuck-under parking for the residents, served by a private driveway. The common driveway provides access to Lot 1 from Gonzales Road, separates the two buildings and provides access to the rear of the lot.

Visitor parking is provided along the east property line and in front of the rear building. A common open space for picnicking and BBQ is provided in the south east corner of the site. Overall, the site has reduced Interior Yard/Open Space (counting landscaped open areas and terrace areas within the buildings). This requires approval of a Density Bonus Incentive. The development also has a reduced front yard setback (if ROW offer is accepted). This requires approval of a Planned Development Permit to allow reduced standards up to 25%. The site has 11,072 sf of building footprints, 18,906 sf of paving and 10,533 sf of landscaping.

Lot 2 (Camino Gonzales) contains two buildings. Facing Gonzales Road is a two-and three-story building with nine units and a 1,556 sf community room. The second building is a two- and three-story building located at the rear of the lot. This building contains nine units. Both buildings include tuck-under parking served by a private road. The common driveway provides access to Lot 2 as well as Lot 1 from Gonzales Road, separates the two buildings, and provides access to the rear of the lot. Two separate garage buildings are located along the west side of the lot. Visitor parking is provided in front of the rear building. A basketball court is provided for recreation at the rear of the lot. The site design has a reduced side yard setback, reduced Interior Yard/Open Space and units with more than 75 ft distance to garage. These site designs require approval of a Planned Development Permit to allow reduced standards up to 25%. The site has 17,072 sf of building footprints, 16,441 sf of paving and 13,096 sf of landscaping.

The buildings along the Gonzales Road frontage are designed with a landscape setback of 25-feet. (This may be reduced to 15-feet if the City accepts a right-of-way dedication for potential future widening of Gonzales Road.) An eight-foot high solid zone wall is proposed along the side (east) and rear (north) property lines to separate this residentially zoned land from the adjacent commercially zoned land.

- f) **Circulation and Parking:** The project site (Lots 1 and 2) are accessed from one entrance drive that splits at the front of the apartment complexes. One driveway continues to the east around the back of the Lot 1 (Paseo de Luz) units. This driveway provides access to trash enclosures, garages under units and open parking spaces. The other driveway continues to the west behind the back of the Lot 2 (Camino Gonzales) units. This driveway provides access to trash enclosures and garages under units. The entrance drive continues straight through the site and provides access to open parking spaces. The driveways have been designed to accommodate refuse vehicles, fire engines and school buses. The City Traffic Engineer has reviewed the project and requested that an offer of dedication be made for 10-feet of right-of-way along the Gonzales Road frontage for potential future widening. Standard traffic fees will be assessed. No other traffic concerns were raised.

Per Density Bonus law, the Lot 1 special needs development is not required to provide more than 26 resident parking spaces (either in garages or open) while no visitor parking is required. The Lot 1 project proposes 19 garages and 7 open spaces (26 total spaces) for

residents and an extra 13 visitor spaces for a total 39 spaces. It should be noted that most special needs tenants do not own or drive vehicles. The Lot 2 farmworker development is required to provide 29 garage spaces by City Code. The development provides 30 garages. A total of 18 open parking spaces are required by City Code for visitor parking. This site plan contains nine visitor spaces. A reciprocal parking agreement between Lot 1 and Lot 2 will allow nine visitor parking spaces from Lot 1 to be used for Lot 2. Administrative relief is requested to allow these nine off-site parking spaces that must be no further than 500 feet from the use served and not expose pedestrians to hazardous traffic safety conditions. The parking spaces meet these requirements.

Associated Transportation Engineers performed a parking study for an earlier version of the project (August 18, 2008). The study surveyed four similar special needs facilities located in Ventura County. The study found that the peak parking demand ranged from six to 13 parking spaces with an average peak parking demand of 10 parking spaces for special needs housing. The provision of 19 garages would meet the special needs resident parking demand. The proposed 30 garage spaces for the Lot 2 farmworker housing exceed the City Code requirement of 29 spaces. A visitor parking demand analysis was also completed for the two projects. Peak visitor parking of seven vehicles occurred from 7:00 pm to 10:00 pm on a weekday. The project provides 18 visitor parking spaces with a reciprocal parking agreement. With the approval of an off-site parking agreement, the visitor parking would satisfy peak parking demands.

Lot 1 Paseo de Luz Special Needs Apartment Parking	
Density Bonus Resident Parking Requirement	Required: 26 spaces Proposed: 19 garages 7 open 26 spaces
Density Bonus Visitor Parking Requirement	Required: None Proposed: 13 spaces
Total Required:	26 spaces
Total Proposed:	39 spaces

Lot 2 Camino Gonzales Farmworker Apartment Parking	
City Code Resident Parking Requirement	Required: 29 garages Proposed: 30 garages
City Code Visitor Parking Requirement	Required: 18 spaces Proposed: 9 spaces (plus 9 off- site spaces on Lot 1 through reciprocal parking agreement)
Total Required:	47 spaces
Total Proposed:	48 spaces (9 off-site)

7) Building Design: Both apartment developments are designed to respect the context of the immediate neighborhood that contains a mix of architectural styles. The developments mix two and three story massing elements and have modulating roof lines to create an appropriate variety of proportions and plane changes. The style on Lot 1 is an interpretation of a design vocabulary made popular by Frank Lloyd Wright in Chicago at the turn of the 20th century. Long roof overhangs, modernist massing, exposed steel elements, a mix of masonry and cement plaster and simple fenestration are features found in this project. Materials used include composite panel cladding, cement plaster, brick veneer, exposed steel columns, metal tube railings and composite asphalt shingles. The front building contains four one-bedroom units, one two-bedroom unit and a 985 square foot community room. The rear building contains 20 one-bedroom units. A Density Bonus Incentive is requested for reduced bedroom size, some units with no second story balconies/patios and some that do not meet the minimum 10 ft dimension. A Planned Development Permit is requested for some units that have smaller storage areas, a condition that is somewhat alleviated by the availability of attic storage space.

Lot 2 is an interpretation the art deco style from the 1930's. Symmetry, tower elements, clean lines and minimal ornamentation are proposed for this project. Materials include a mix of flat and sloped roofs with composite asphalt shingles, composite panel cladding, lap wood siding and cement plaster at the walls, steel tube railings, and brick veneer. The terraces for both complexes have waterproof deck coating with patterns and score joints to mimic tile. The front building has five one-bedroom units, one two-bedroom unit, three three-bedroom units and a 1,556 sf community room. The rear building has two one-bedroom units, four two-bedroom units and three three-bedroom units. As this complex is designed for farmworker families, units with more bedrooms are provided. A planned development permit is requested for some units with reduced size, units with smaller storage space, and some units with second floor balconies/patios that do not meet the minimum 10 ft dimension.

h) Landscaping and Open Space: Lot 1 (0.93 acres) has 10,547 sf of landscaping. This site has reduced Interior Yard/Open Space, counting landscaped open area and open terrace areas within the buildings. This requires approval of a Density Bonus Incentive. Per parking ordinance regulations, the development is required to provide 5% of the parking area in landscaping. The project provides 67% in landscaping. Lot 2 (1.07 acres) has 13,211 sf of landscaping. This site has reduced Interior Yard/Open Space, counting landscaped open space, recreation area and open terrace areas within buildings. This requires approval of a Planned Development Permit to allow up to a 25% decrease in zone code standards. Per the parking ordinance regulations, the development is required to provide 5% of the parking area in landscaping. The project provides 63% in landscaping.

8) Development Advisory Committee: The Development Advisory Committee (DAC) reviewed this project on August 27, 2008 and December 17, 2008. The DAC discussed frontage right-of-way dedication for potential future widening of Gonzales Road, providing vines on walls to deter graffiti, driveway widths, shared parking adequacy, architectural details and school bus access into the site. Recommendations of the DAC are included in the attached resolution(s).

9) Community Workshop: On January 16, 2009, the applicant mailed notices of the Community Workshop meeting to all property owners within the Orchard and Carriage Square Neighborhoods. The applicant also posted such notice on the project site with a brief description of the project and contact information. The Community Workshop was conducted on January 26, 2009. Public comments included concerns for traffic on Gonzales Road, the modern architecture and limiting the number of people per bedroom.

Appeal Procedure: In accordance with Section 16-545 of the City Code, the Planning Commission's action on the Planned Development Permits may be appealed to the City Council within 18 working days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period. The Planning Commission's recommendation on the Density Bonus Permit and Tentative Parcel Map will be considered by the City Council at a later date.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Resolutions (Planned Development Permits, Density Bonus Permit and Tentative Parcel Map)

Prepared by: <u>SD</u> SD
Approved by: <u>SM</u> SM

- h) Landscaping and Open Space:** Lot 1 (0.93 acres) has 10,547 sf of landscaping. This site has reduced Interior Yard/Open Space, counting landscaped open area and open terrace areas within the buildings. This requires approval of a Density Bonus Incentive. Per parking ordinance regulations, the development is required to provide 5% of the parking area in landscaping. The project provides 67% in landscaping. Lot 2 (1.07 acres) has 13,211 sf of landscaping. This site has reduced Interior Yard/Open Space, counting landscaped open space, recreation area and open terrace areas within buildings. This requires approval of a Planned Development Permit to allow up to a 25% decrease in zone code standards. Per the parking ordinance regulations, the development is required to provide 5% of the parking area in landscaping. The project provides 63% in landscaping.
- 8) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on August 27, 2008 and December 17, 2008. The DAC discussed frontage right-of-way dedication for potential future widening of Gonzales Road, providing vines on walls to deter graffiti, driveway widths, shared parking adequacy, architectural details and school bus access into the site. Recommendations of the DAC are included in the attached resolution(s).
- 9) Community Workshop:** On January 16, 2009, the applicant mailed notices of the Community Workshop meeting to all property owners within the Orchard and Carriage Square Neighborhoods. The applicant also posted such notice on the project site with a brief description of the project and contact information. The Community Workshop was conducted on January 26, 2009. Public comments included concerns for traffic on Gonzales Road, the modern architecture and limiting the number of people per bedroom.

Appeal Procedure: In accordance with Section 16-545 of the City Code, the Planning Commission's action on the Planned Development Permits may be appealed to the City Council within 18 working days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period. The Planning Commission's recommendation on the Density Bonus Permit and Tentative Parcel Map will be considered by the City Council at a later date.

Attachments:

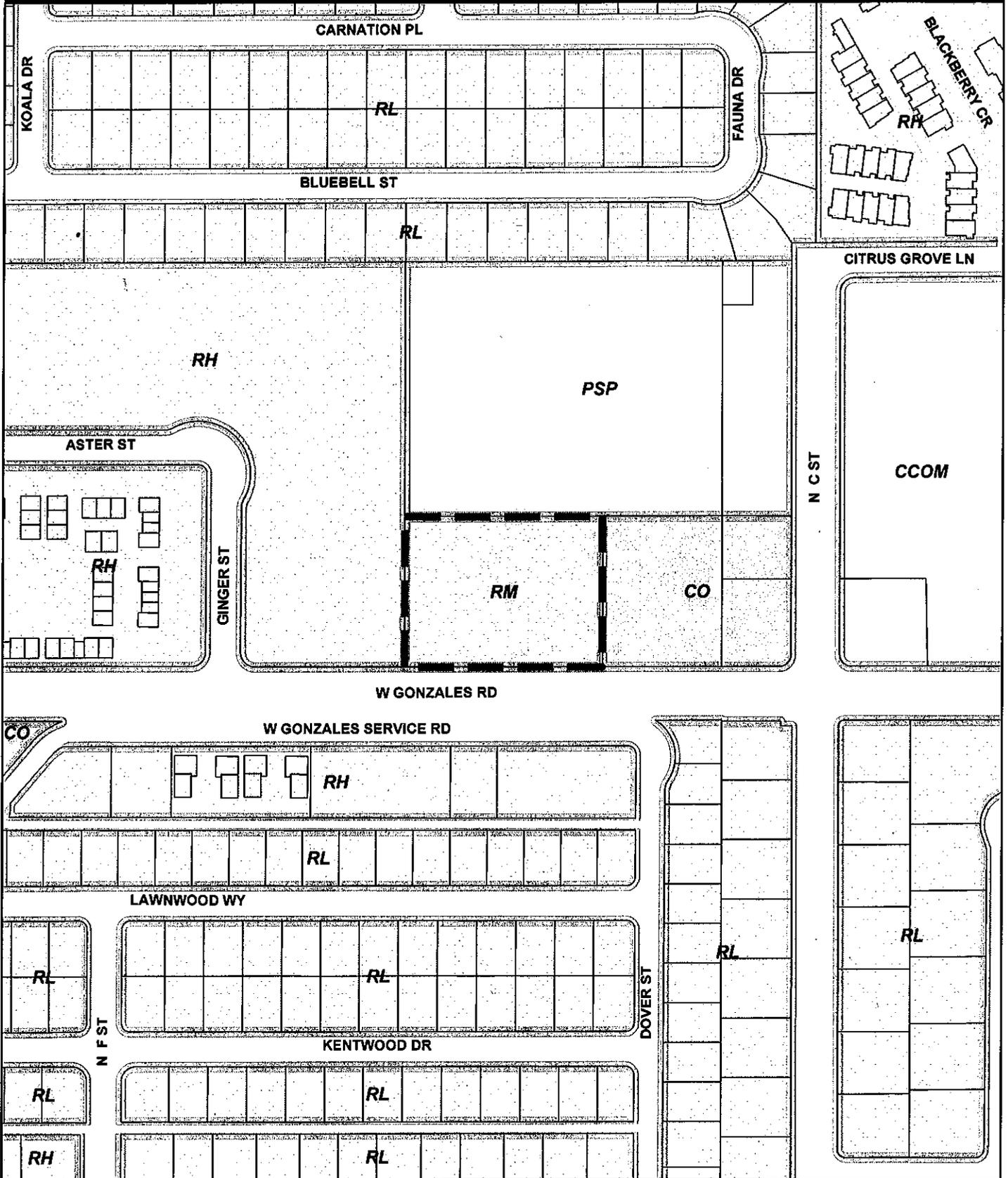
- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Resolutions (Planned Development Permits, Density Bonus Permit and Tentative Parcel Map)

Prepared by: _____ SD
Approved by: _____ SM

EXHIBIT A

Maps (Vicinity, General Plan, Zoning)

General Plan Map



Oxnard Planning
December 22, 2008

PZ 08-300-08
Location: 457 Gonzales Rd
APN: 139025003
Paseo De Luz & Camino Gonzales

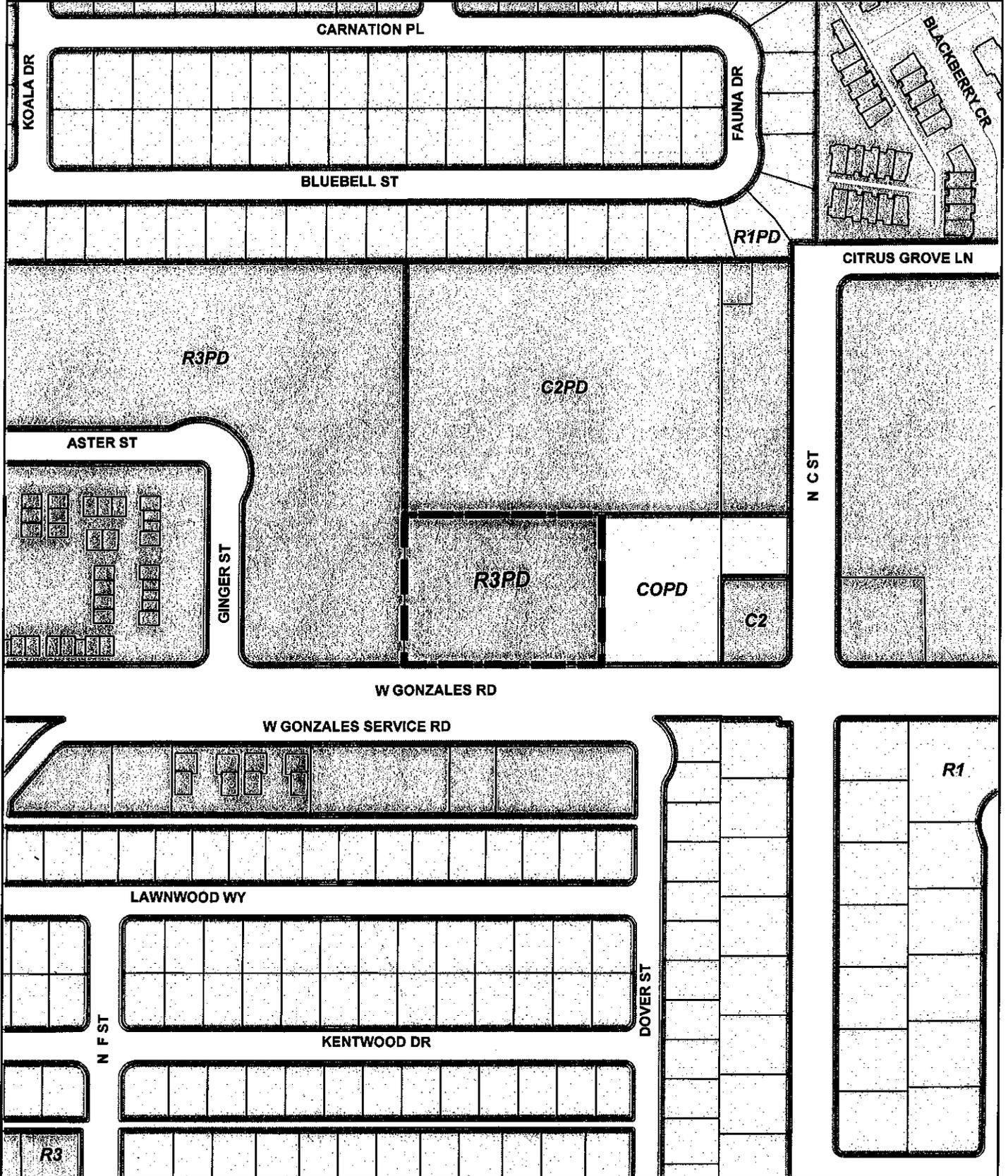
0 55 110 220 330 440 Feet

General Plan Map



1:2,640

Zone Map



Oxnard Planning
December 22, 2008

PZ 08-300-08
Location: 457 Gonzales Rd
APN: 139025003
Paseo De Luz & Camino Gonzales



Zone Map



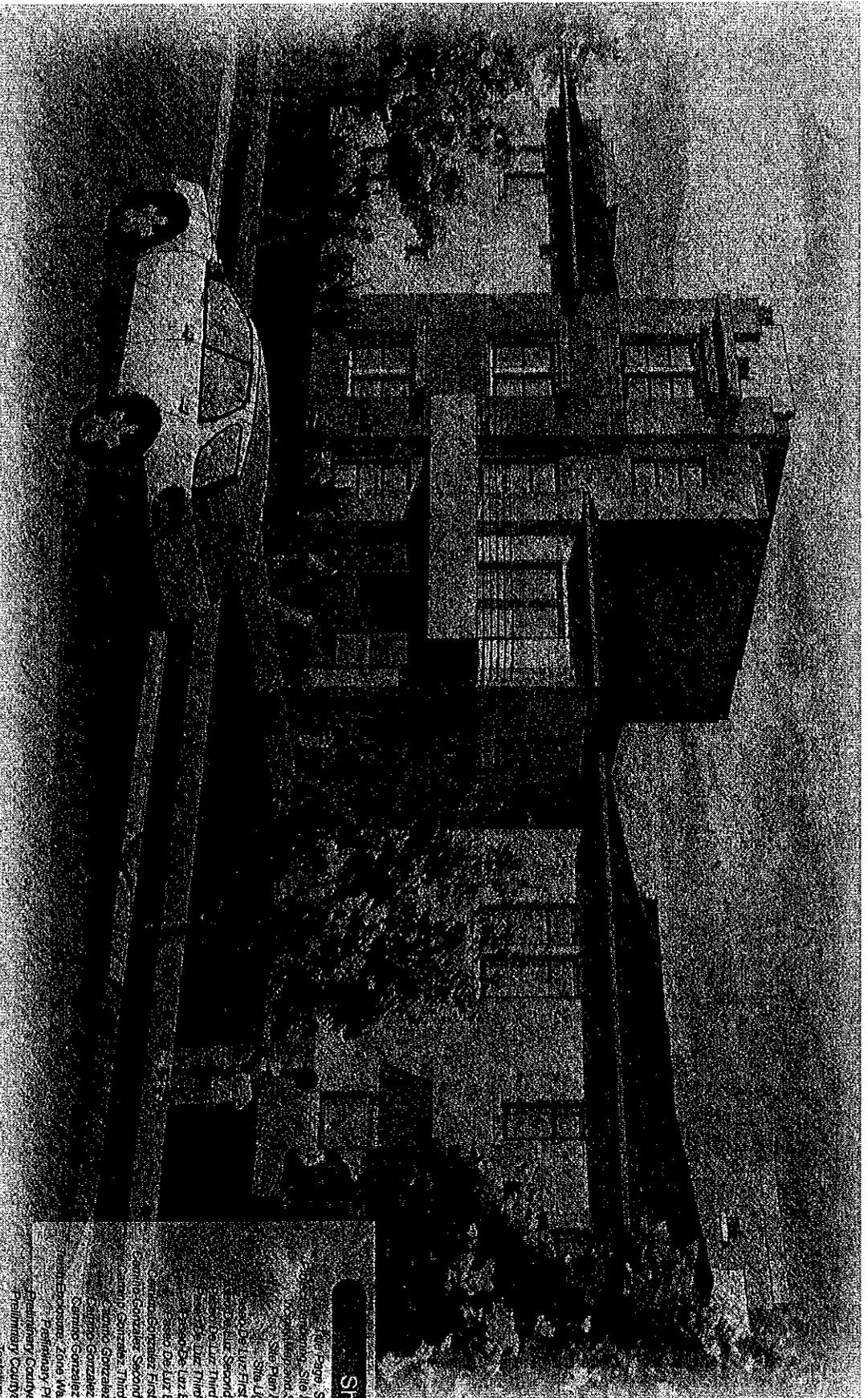
1:2,659

EXHIBIT B

Reduced Project Plans

Paseo De Luz and Camino Gonzales

Multi-Family Housing



Camino Gonzales, From Gonzales Road

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 M. BOB RIVERA, AIA
 www.firmitas.com

Camino Economic Development
 707 Zephyr Court
 San Antonio, TX 78201

Paseo de Luz - Hill Country
 And Camino Gonzales
 433 Gonzales rd., Cameron, California

A-1

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PASEO DE LUZ - Parcel 1

BUILDING 1

Floor
 (Total units: 20)
 1 bedroom: 20 units

Parking Required:
 24 sps.
 1 unit x 2.0 = 20
 1 unit x 0.4 = 4
Total = 24

Parking Provided:
 17 - one car garages
 1 - two car garage (unit #1)
Uncovered Space = 18

BUILDING 2
Flexiplex & Community Room
 (Total units: 5)
 1 bedroom: 2 units
 2 bedroom: 1 unit
 200 S.F. Community Room

BUILDING AREA TOTALS

Total Units Habitable:	12,805
Community Room:	679
Total Garage:	4,378
Total Site Storage:	145
Total In-House Comedor:	19,245
Total Structures:	4,262

Site Area Totals Parcel 1: 22 Units

Site Breakdown:	Sq. Ft.	Percent of Total
Building 1:	16,906	78.4%
Building 2:	4,972	22.1%
Community Room:	10,633	48.0%
Total:	40,311	100.0%

Interior Yard Space:	9,471	Percent of Total
Exterior Yard Space:	3,039	7.2%
Total Yard Space:	12,510	31.0%

CAMINO GONZALES - Parcel 2

BUILDING 3

FLATS
 (Total units: 9)
 1 bedroom: 2 units
 2 bedroom: 1 unit
 1,556 S.F. Community Room

Parking Required:
 7 sps.
 1 unit x 1.0 = 2
 1 unit x 2.0 = 2
 1 unit x 2.0 = 2
Total = 7

Parking Provided:
 10 - one car garages
Uncovered Space = 10

BUILDING 4
Town Houses and Flats
 (Total units: 91)
 1 bedroom: 2 units
 2 bedroom: 4 units
 3 bedroom: 3 units

BUILDING AREA TOTALS

Total Units Habitable:	10,340
Community Room:	1,623
Total Garage:	6,197
Total Site Storage:	0
Total In-House Comedor:	205
Total Structures:	23,745
Total Temporary Habitable:	6,000

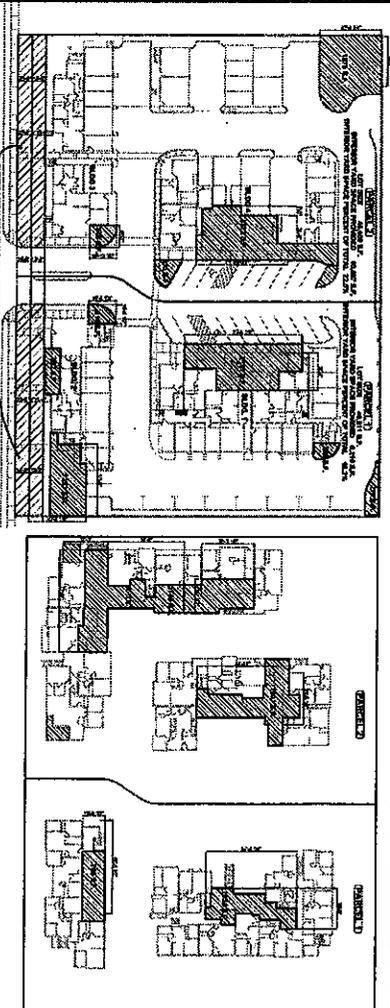
Site Area Totals Parcel 2: 48 Units

Site Breakdown:	Sq. Ft.	Percent of Total
Building 3:	16,906	81.6%
Building 4:	49,782	24.5%
Community Room:	10,633	52.2%
Total:	40,311	100.0%

Interior Yard Space:	10,447	Percent of Total
Exterior Yard Space:	3,868	9.6%
Total Yard Space:	14,315	35.5%



Paseo de Luz, view from central drive lane



Interior Yard Space - 1st Floor
 Interior Yard Space Areas

Interior Yard Space - 2nd Floor

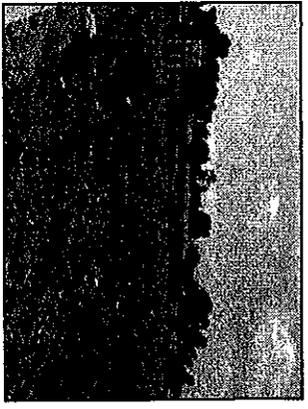
Scale 1"=40'

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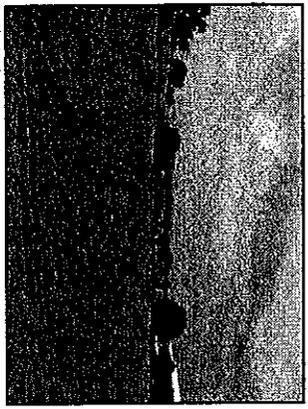
Capitola Regional
 Development
 477 California Rd., Capitola, California

Paseo de Luz - 4140' Plot, 4,172 sq. ft.
 And Camino Gonzales
 477 California Rd., Capitola, California

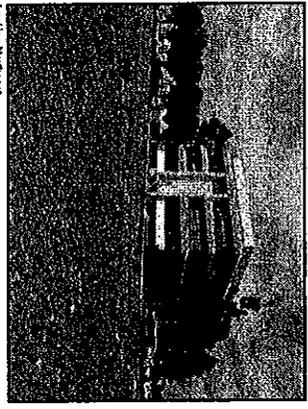
A-2



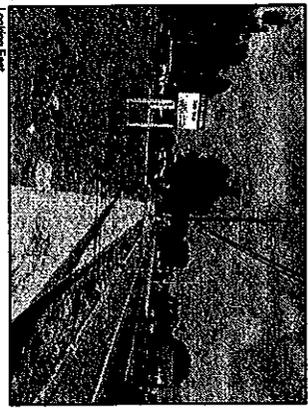
Looking Northwest



Looking North



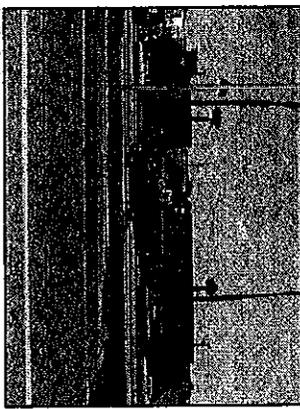
Looking Northwest



Looking East



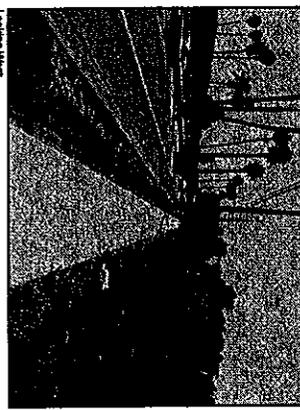
Looking Southwest



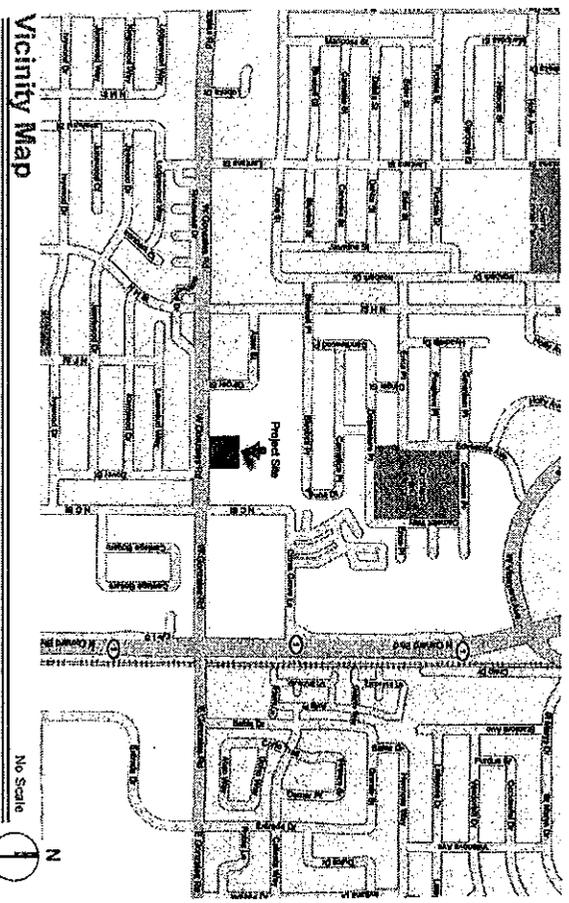
Looking South



Looking Southwest



Looking West

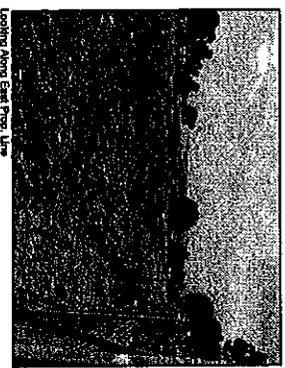


Vicinity Map

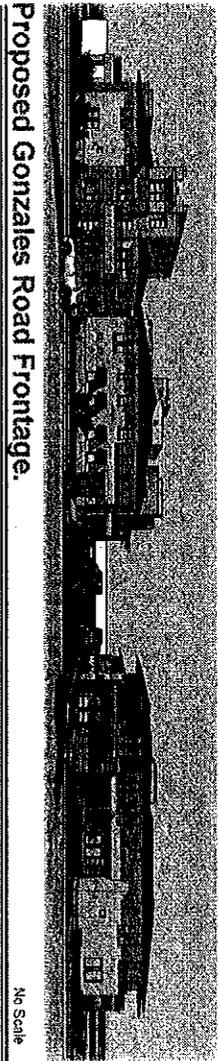
No Scale

Context Photos

No Scale



Looking Along East Prop. Line



Proposed Gonzales Road Frontage.

No Scale

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Coastal Economic Development
 22000 Calle Ocho
 Ventura, CA 93003
 TEL: 805.628.2344

Paseo de Luz - HUD Proj. #1224084
 And Camino Gonzales
 4577 GONZALES FLD, Oxnard, California

A-3

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Architectural Site Plan

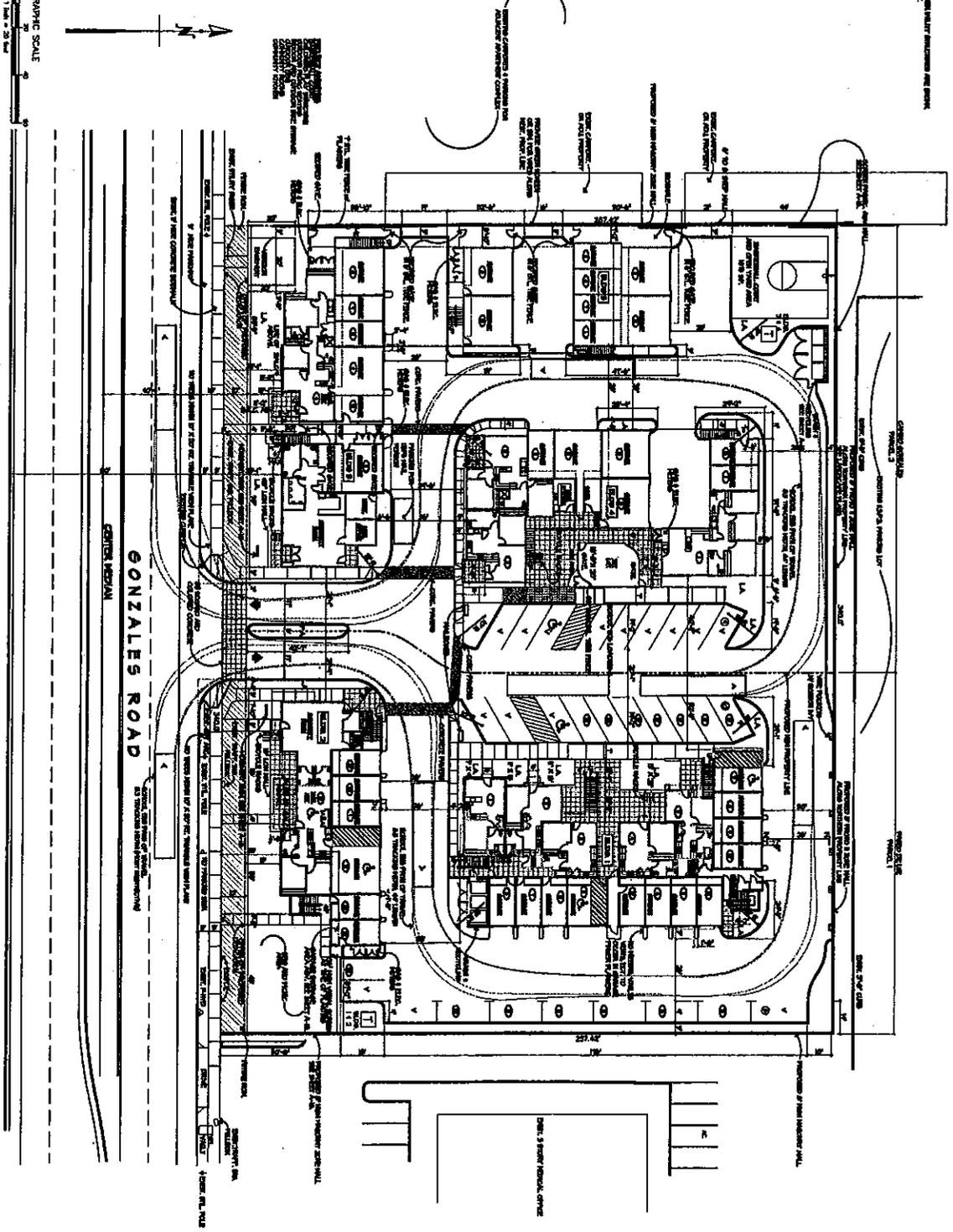
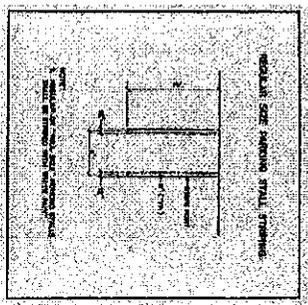
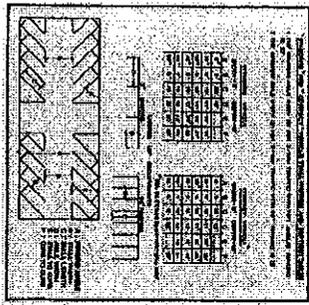
NOTE: ALL UTILITY MAINS, TRAVELOGERS, BUILDING ACCESS, FIRE DEVICES AND OTHER UTILITY STRUCTURES ARE SHOWN
 NO. HAVING, BOTH PROJECTIONS TO BE BUILT COMPANY PRESENTLY

Scale: 1" = 20'-0"



NOTES:

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2. NO. HAVING, BOTH PROJECTIONS TO BE BUILT COMPANY PRESENTLY.
3. ALL DIMENSIONS ARE IN FEET AND INCHES.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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CONTRIO REGIONAL DEVELOPMENT
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Passo de Luz - HUD Proj. # 22 HORIS
And Camino Gonzales

A-4

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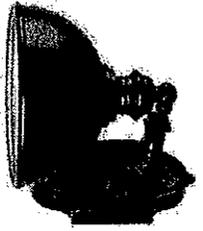


FIGURE 1



FIGURE 2

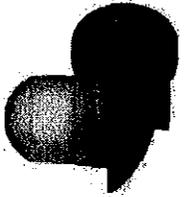


FIGURE 3

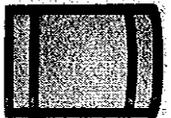


FIGURE 4

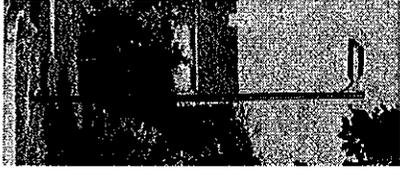


FIGURE 5 & 6



FIGURE 8

LIGHT FIXTURE LEGEND

NOTE: ALL FIXTURES ARE ENERGY STAR RATED AND DARK SKY CERTIFIED

PROGRESSIVE 5-6000-035E-05 WALL MOUNT AT 4'0"

SEAGULL PRODOTELED WALL MOUNT AT 4'0"

MINIKA 35115 WALL MOUNT AT 4'0"

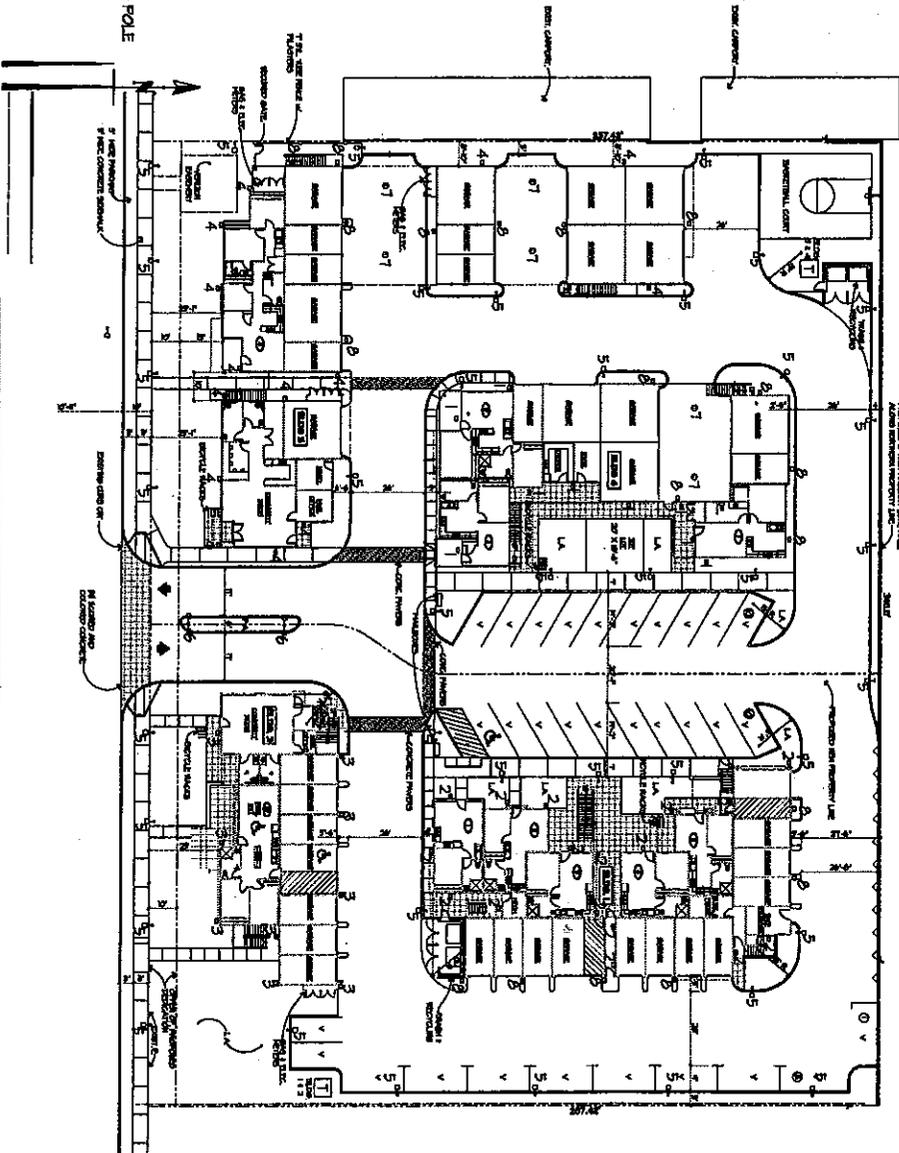
MINIKA 45311 WALL MOUNT AT 4'0"

HADCO EB-AA-(1)-30-100(H/E/B) 1000 MM MEDIUM ON 12' HIGH POLE

HADCO EB-AA-(2)-1H-30-100(H/E/B) 5F-1000 MM MEDIUM-2 FIXTURES ON 16' HIGH POLE

HALO RECESSED CAN 46M CONP- FLUOR WITH PRESSEL LENS

ACALITE/LAND D5 POLARIS 42M CFL MOUNT AT 4'0"



Site Lighting Plan



Scale: 1" = 20'-0"

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SUSAN O'NEILL

TEL: 925.438.1234
WWW.FIRMITAS.COM

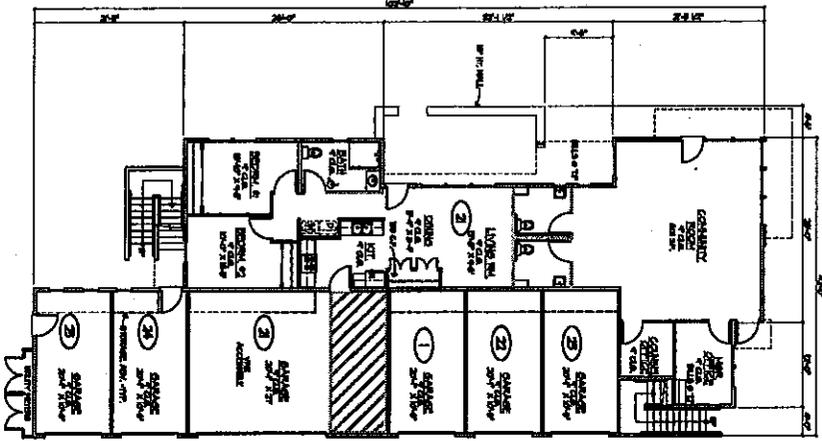
Paseo de Liza • 4155 Blvd. # 272 HD/168
And Camino Gonzales

457 Gonzales Blvd. Oakland, California

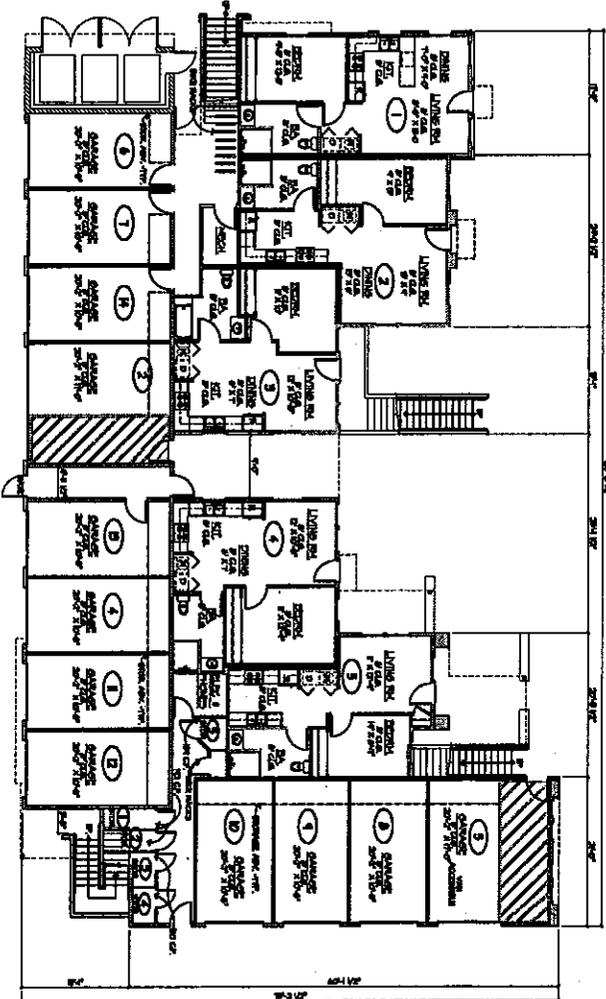
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BLDG. 2



BLDG. 1



Buildings #1 and #2, First Floor Plans Scale: 1/8" = 1'-0"



Paseo de Luz- First Floor Plan

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 201 E. MAIN STREET SUITE C
 VENTURA, CA 93001
 805.462.2244
 805.462.2245

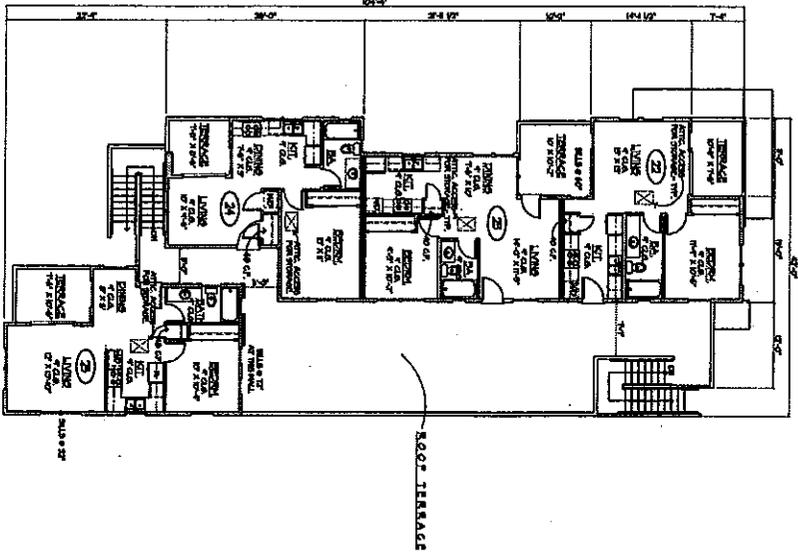
CHILLIE ECONOMIE
 DEVELOPER
 457 GONZALES RD.
 OXFORD, CA 95959
 530.835.1111

Paseo de Luz - HUD Proj. # 121 45165
 And Camino Gonzales
 457 Gonzales Rd., Oxford, California

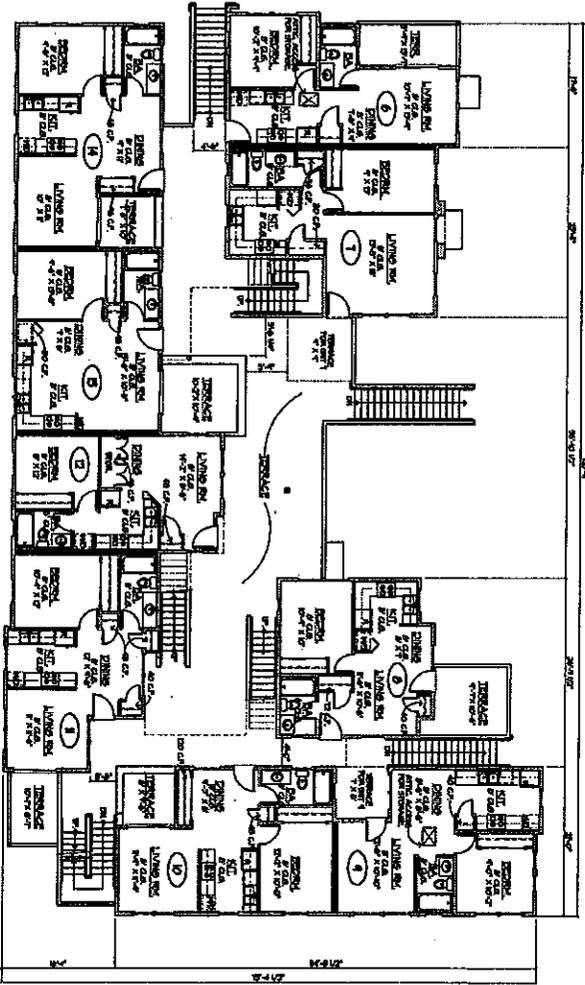
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BLDG. 2



BLDG. 1



Buildings #1 and #2, Second Floor Plans Scale: 1/8" = 1'-0"

Paseo de Luz - Second Floor Plan

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MONTROSE, CA 94025

CONTRATO ECONOMICO
CONDOMINIO

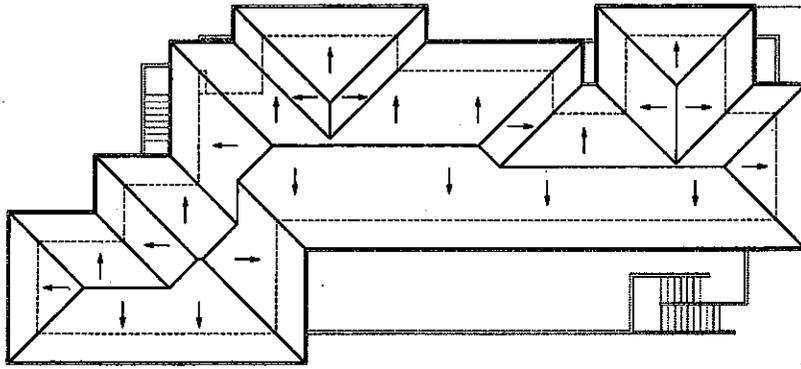
CONDOMINIO PASO DE LUZ
457 COLINAS RD, DAVIS, CALIFORNIA

Paseo de Luz - 400 Pasa # 102, 103, 104
And Carrizo Gonzales
457 Colinas Rd, Davis, California

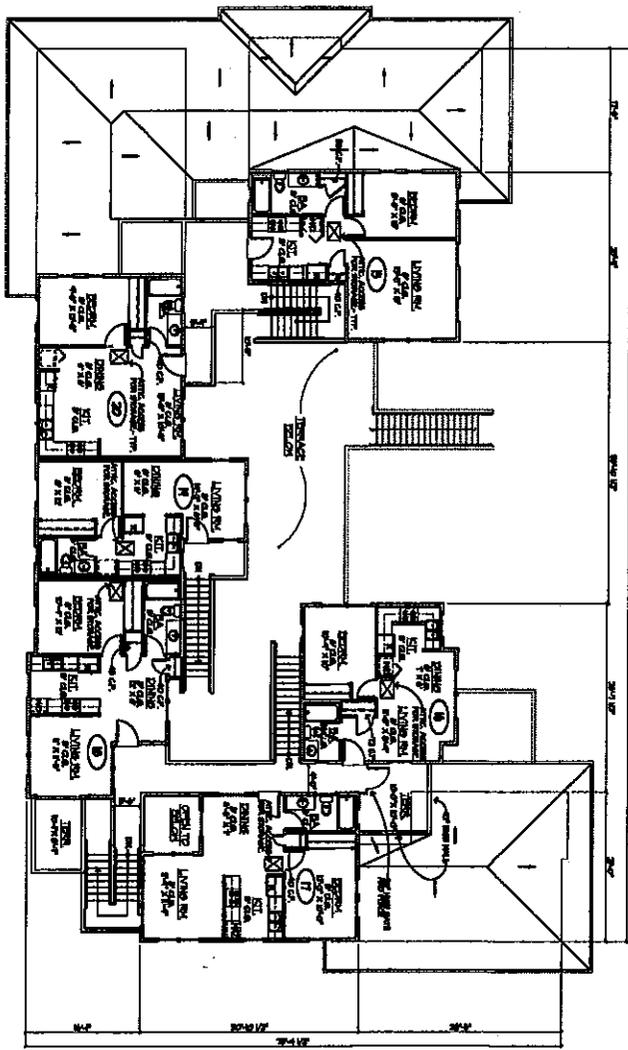
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BLDG. 2



BLDG. 1



Building #2 Roof Plan and Building #1 Third Floor Plan Scale: 1/8" = 1'-0"

Paseo de Luz- Third Floor Plan

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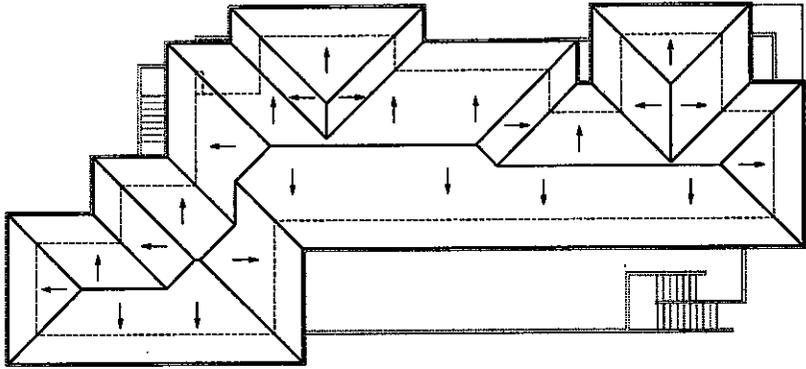
California Economic Development
 THE CALIFORNIA DEVELOPMENT BANK
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 SACRAMENTO, CA 95833
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 Art & Camino Gonzales
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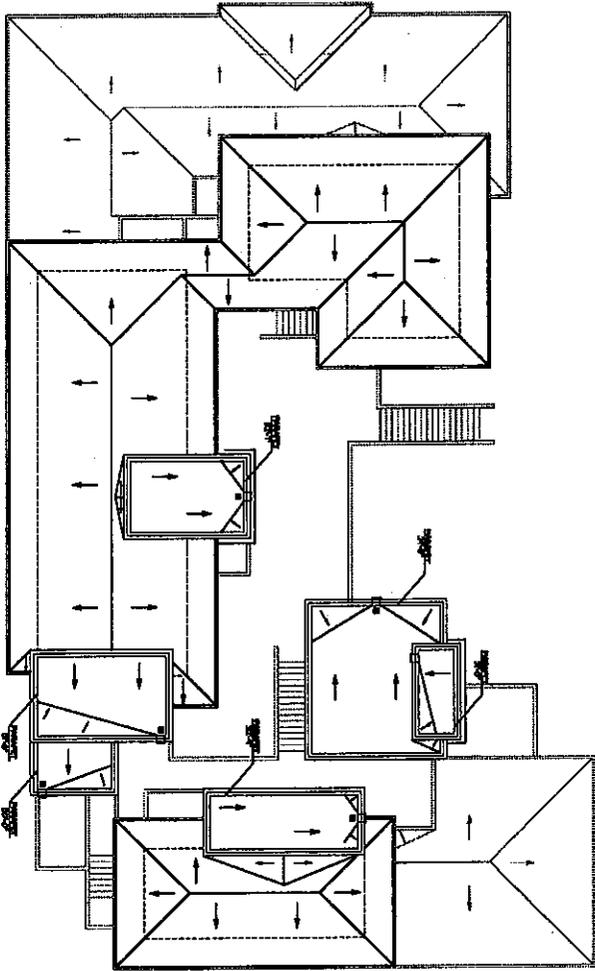
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BLDG. 2



BLDG. 1



Building #1 and #2 Roof Plan Scale: 1/8" = 1'-0"



NOTES:
1. No Roofing Equipment, all equipment to be located in attic

Paseo de Luz- Roof Plan

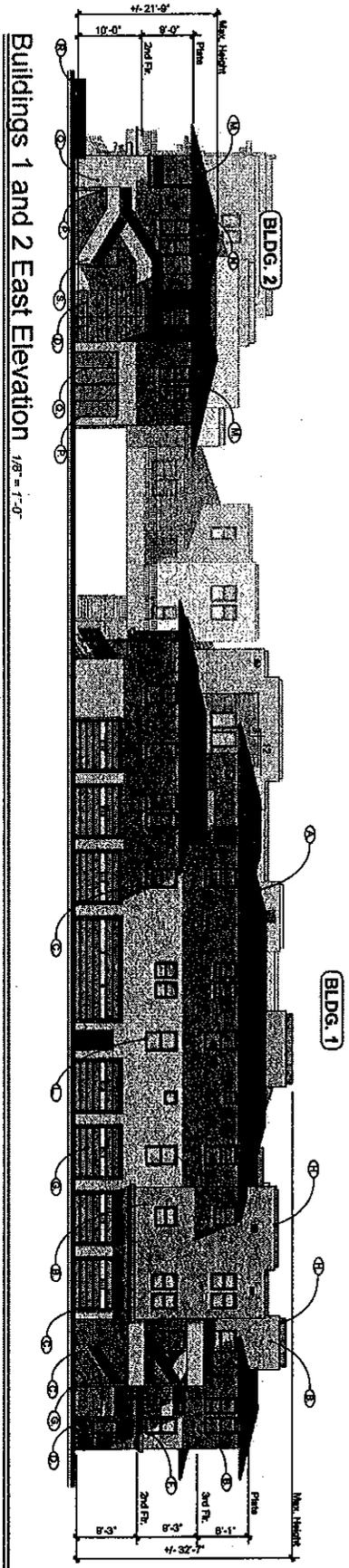
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 VAN NUYS, CA 91411
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 F: 805.444.2395

Consulting Architect
 10000 Wilshire Blvd., Suite 1000
 Beverly Hills, CA 90210
 Tel: 310.274.1111

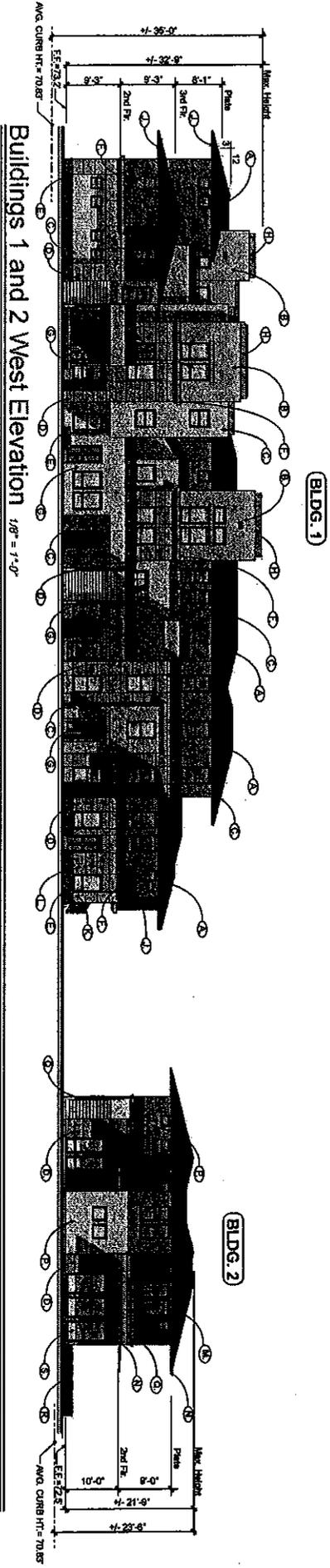
Paseo de Luz - 4100 Proj. # 132 4/01/05
 And Camino Gonzales
 4770 Gonzales Rd., Oxnard, California

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Buildings 1 and 2 East Elevation 1/8" = 1'-0"



Buildings 1 and 2 West Elevation 1/8" = 1'-0"

Materials Legend: Building 1

- ROOFING:**
 A. Eco Star Asphalt Shale - Federal City
CEMENT PLASTER 1
 B. U-I HENKENS SHIP
CEMENT PLASTER 2
 C. LA HENKENS SHIP
CLADDING
 D. Shiva Hards Acrylic Hardi-Plank
 E. Dorn Edwards DEC 6779 Stone Oak
VENEER
 F. Calwood Stone CD-403 - Veneer Oak
TRIM MOLDING
 G. Stone Canyon 60002

Materials Legend: Building 2

- ROOFING:**
 M. Eco Star Asphalt Shale - Central Brown
GUTTERS, GARAGE DOORS
 N. American w/ Dorn Edwards DEC 739 Veneer
CUTTERS,
 O. Met-Lux
CEMENT PLASTER
 P. LA HENKENS SHIP
DOORS, RAILS, PIPE COLLINGS
 Q. Dorn Edwards DEC 6779 Stone Oak
VENEER
 R. Calwood Stone CD 41803 Veneer Oak
WINDOWS
 S. Imperial Hardware Brnvs Anodized

NOTES:
 1. Address Numbers to be located above or adjacent to doorway

Paseo de Luz- Elevations

FIRMITAS ARCHITECTURE & PLANNING
 304 S. ALAM STREET, SUITE 200
 VAN NUYS, CA 91411
 TEL: 818.774.2224
 FAX: 818.774.2225
 WWW.FIRMITAS.COM

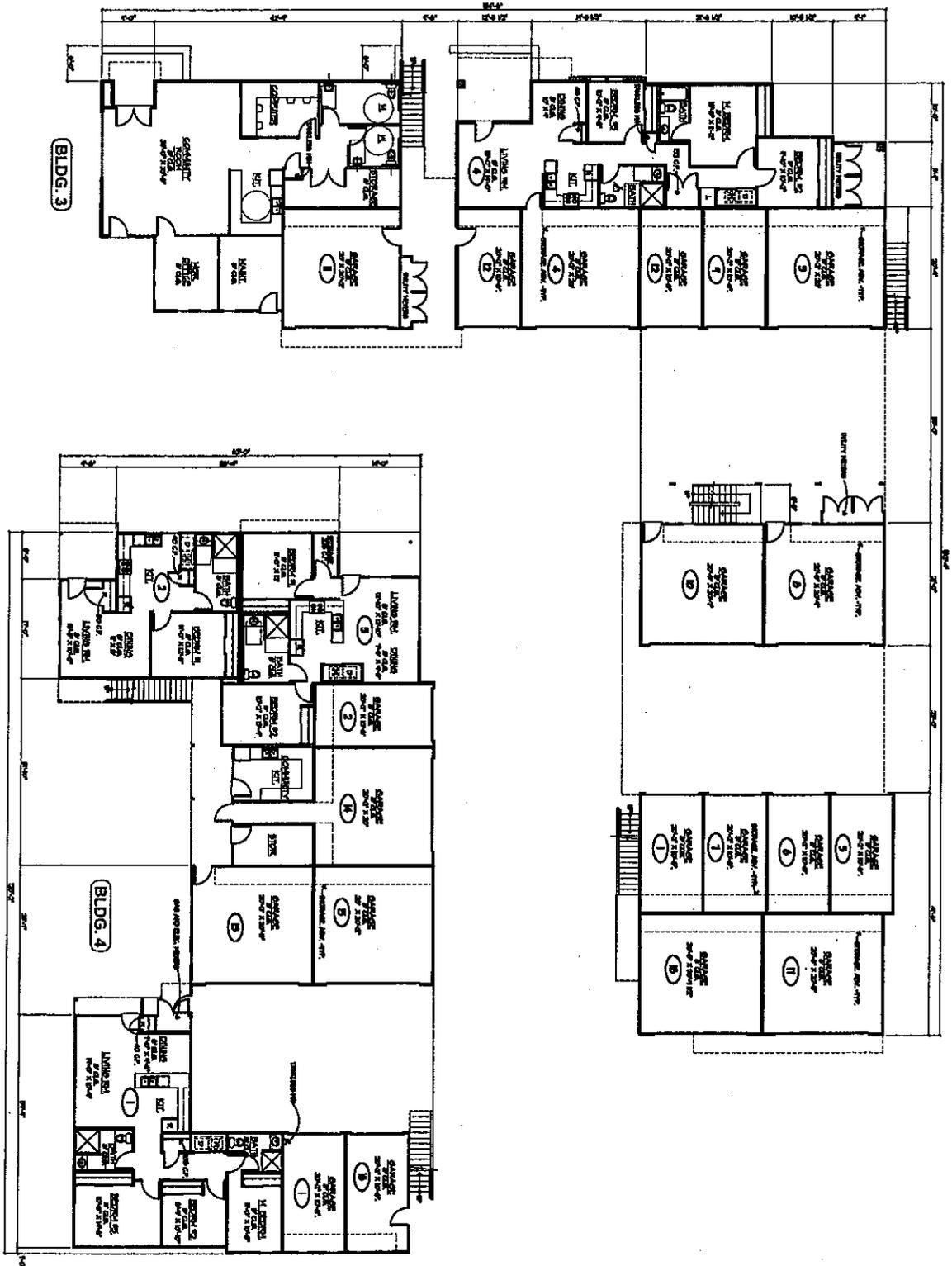
Estudio Economico
 Development
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 And Camino Gonzales
 451 Gonzales Pk., Oxnard, California

A-10

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Building 3 and 4 First Floor Plan
 Camino Gonzales- First Floor Plan

Scale: 1/8" = 1'-0"



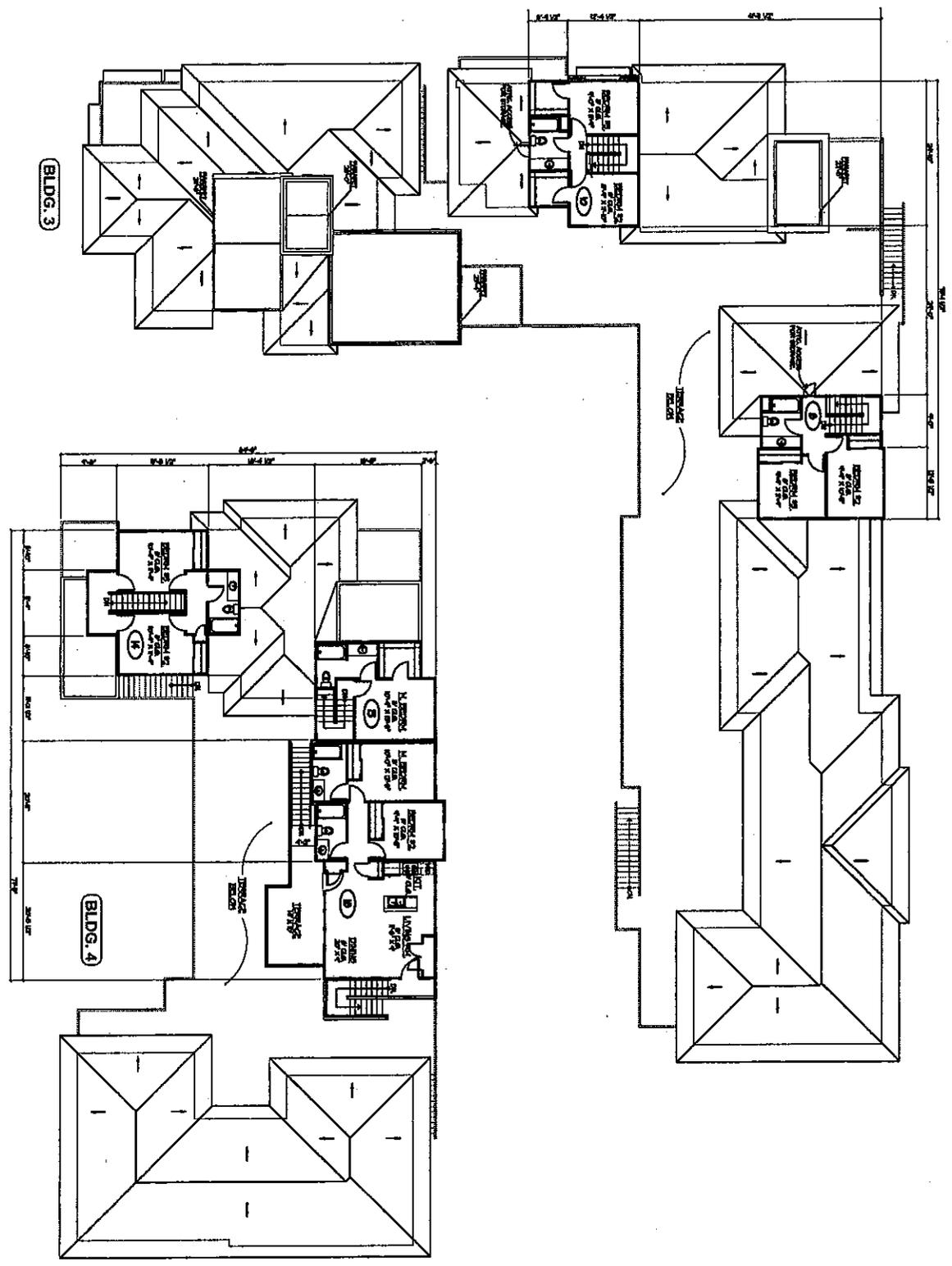
FIRMITAS ARCHITECTURE
 & PLANNING

CONTRATA ECONOMICA
 SINGAPORE
 204 E. MAIN STREET, SUITE C
 VAN NUYS, CA 91411
 P 805.444.2284
 F 805.444.2284
 WWW.FIRMITAS.COM

Passo de Lutz - BLD' P-01, # 122, 5/15/08
 And Camino Gonzales
 457 Gonzales Pk., Orland, California
A-12

CONTRACT NO. 11001. This set of drawings is prepared for the construction of the project. It is the responsibility of the contractor to verify the accuracy of the information provided in this set of drawings. The contractor shall be responsible for any errors or omissions in this set of drawings. The contractor shall be responsible for any errors or omissions in this set of drawings. The contractor shall be responsible for any errors or omissions in this set of drawings.

Buildings 3 and 4 Third Floor Plan Scale: 1/8" = 1'-0"
 Camino Gonzales- Third Floor Plan



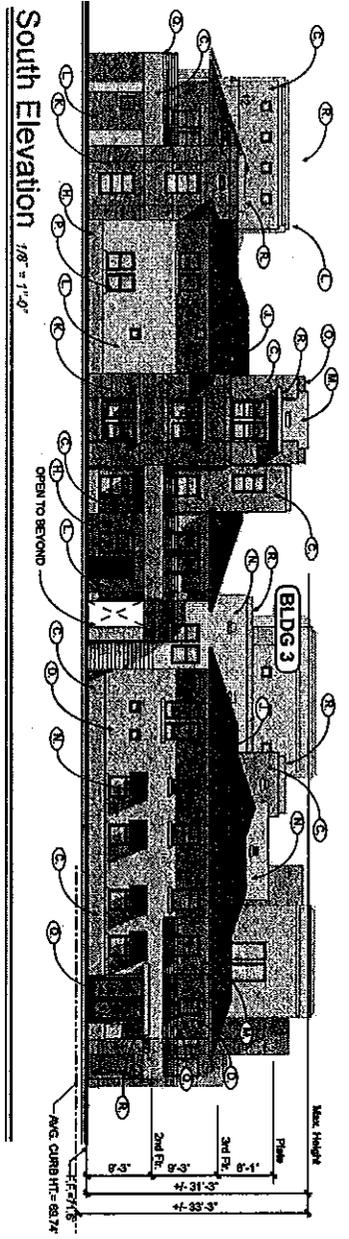
FIRMITAS ARCHITECTURE & PLANNING
 2504 E. HAVEN STREET, SUITE C
 WASHINGTON, CA 95001
 916.835.8124
 916.835.8124
 916.835.8124

Camelia Economu
 BRONKHORST
 27000 Camino C
 457 GONZALES RD
 95708
 916.835.8124
 916.835.8124
 916.835.8124

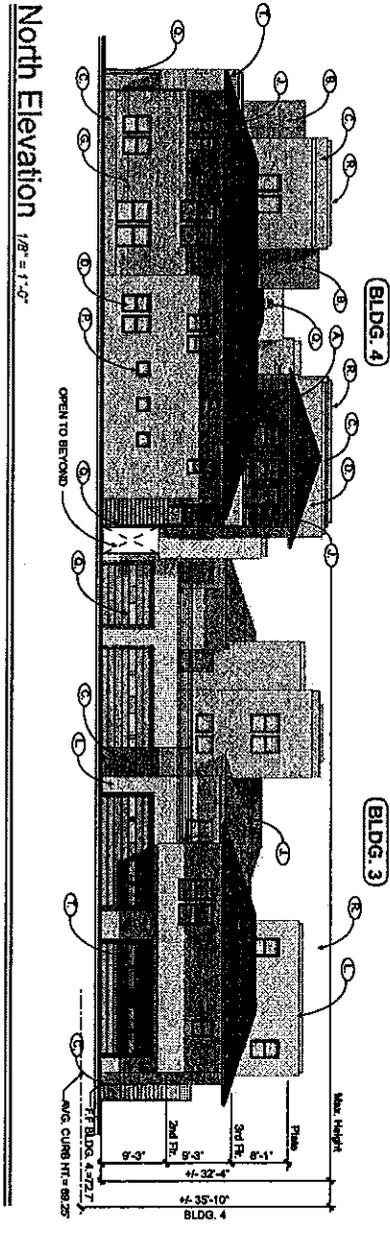
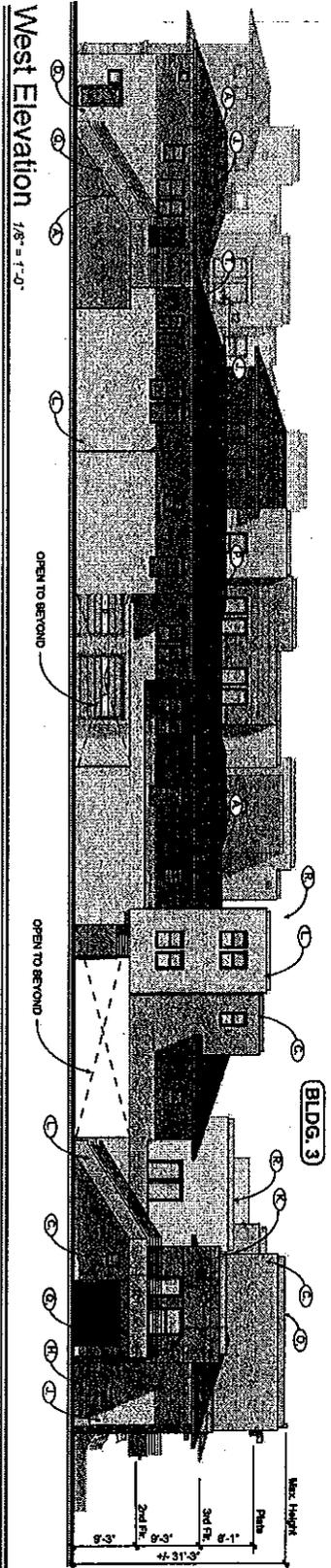
Paseo de Luz - 400' Proj. # 2218788
 And Camino Gonzales
 457 GONZALES RD, CAROLINA, CALIFORNIA

A-14

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- Materials Legend: Buildings 3 and 4**
- SKIN:**
- A. Horizontal Commercial Smooth 3" Extruded
 - B. James Hardie FibraStucco Panels
 - C. Lath & Mortar
 - D. Lath & Mortar
 - E. Lath & Mortar
 - F. Lath & Mortar
 - G. Lath & Mortar
 - H. Lath & Mortar
 - I. Lath & Mortar
- CLADDING**
- K. James Hardie FibraStucco Panels
 - L. Lath & Mortar
 - M. Lath & Mortar
 - N. Lath & Mortar
 - O. Lath & Mortar
- CEMENT PLASTER**
- P. Dan Edwards DED300
 - Q. Dan Edwards DED300
 - R. Dan Edwards DED300
 - S. Dan Edwards DED300
 - T. Dan Edwards DED300
- WOODWORK**
- U. Dan Edwards DED300
 - V. Dan Edwards DED300
 - W. Dan Edwards DED300
 - X. Dan Edwards DED300
 - Y. Dan Edwards DED300
 - Z. Dan Edwards DED300
- SCAFFOLDING**
- AA. Dan Edwards DED300
 - AB. Dan Edwards DED300
 - AC. Dan Edwards DED300
 - AD. Dan Edwards DED300
 - AE. Dan Edwards DED300
 - AF. Dan Edwards DED300
 - AG. Dan Edwards DED300
 - AH. Dan Edwards DED300
 - AI. Dan Edwards DED300
 - AJ. Dan Edwards DED300
 - AK. Dan Edwards DED300
 - AL. Dan Edwards DED300
 - AM. Dan Edwards DED300
 - AN. Dan Edwards DED300
 - AO. Dan Edwards DED300
 - AP. Dan Edwards DED300
 - AQ. Dan Edwards DED300
 - AR. Dan Edwards DED300
 - AS. Dan Edwards DED300
 - AT. Dan Edwards DED300
 - AU. Dan Edwards DED300
 - AV. Dan Edwards DED300
 - AW. Dan Edwards DED300
 - AX. Dan Edwards DED300
 - AY. Dan Edwards DED300
 - AZ. Dan Edwards DED300



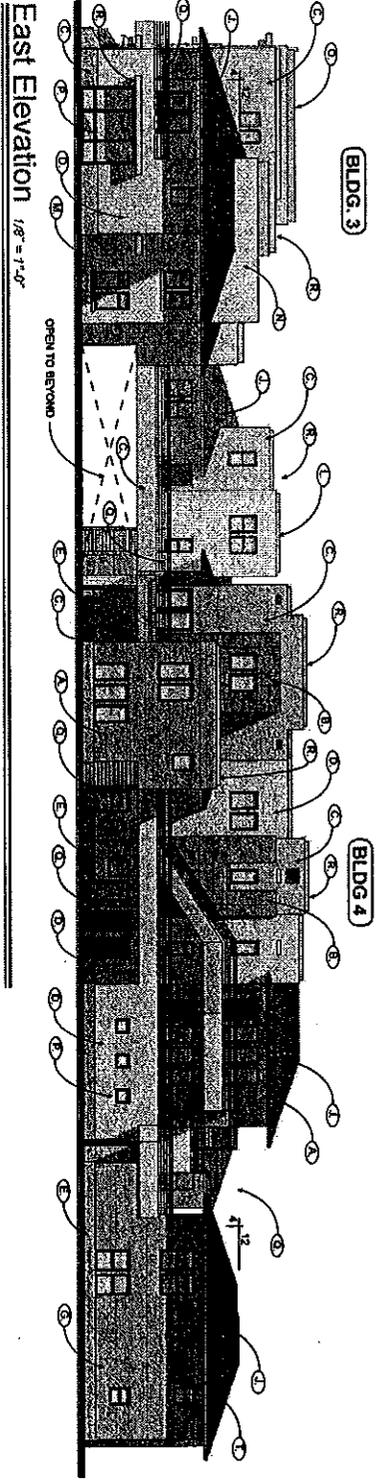
Camino Gonzales- Bldg. #3 Plan and Elevations

FIRMITAS ARCHITECTURE & PLANNING

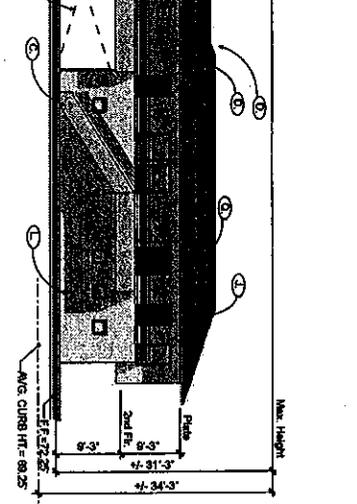
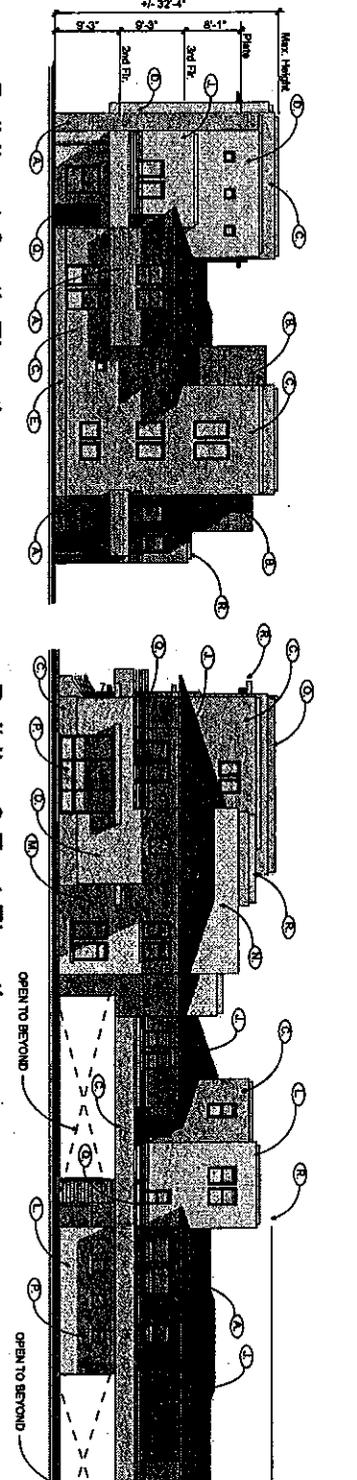
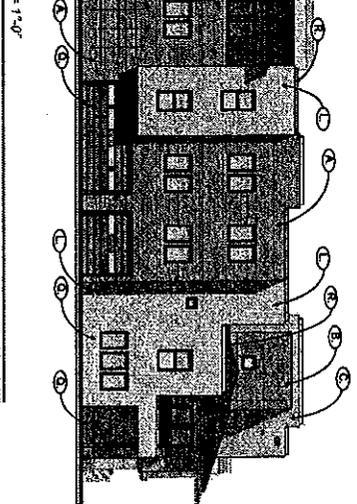
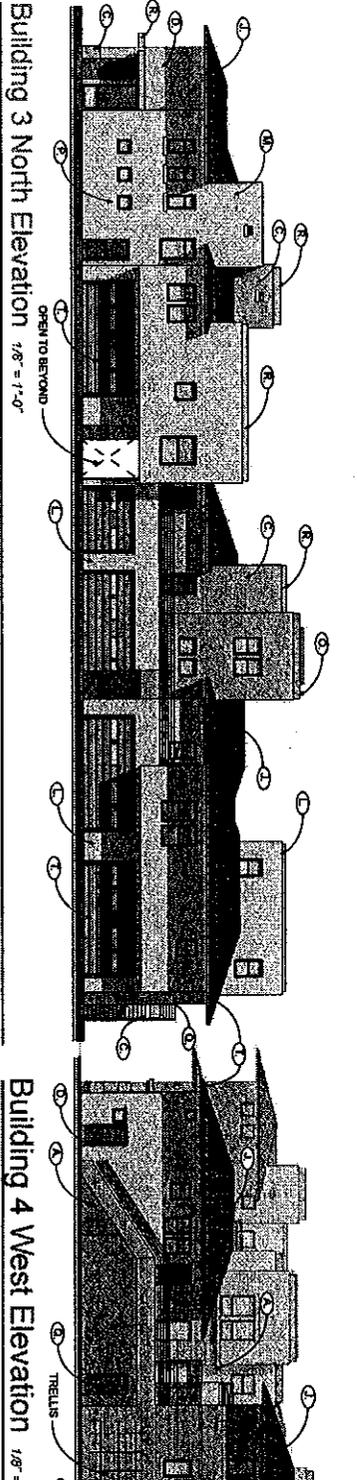
304 E. MAIN STREET, SUITE C
VICTORIA, CA 93001
TEL: 805.464.2384
FAX: 805.464.2384
WWW.FIRMITAS.COM

Paseo de Luz - PHD TRAP #12345678
Anco Camino Gonzales
457 Gonzales, Pa. - Depend, California

A-16



- Materials Legend: Buildings 3 and 4**
- CLADDING**
 - A. Hardwood Commercial Grade 3" Espresso
 - K. James White Walnut Veneer Panel
 - B. Cedar Shakes Shingles
 - L. Dan Gribble (DGR23) 'Nantucket Oak'
 - C. James White Walnut Veneer Panel
 - M. La Mesa 2x6 'Pine Loyal' Light Sand Finish
 - D. U.S. Hardwood 1x4x8 'Light Sand Finish
 - N. C. Saturated Veneer Green 6000
 - E. U.S. Hardwood 1x4x8 'Light Sand Finish
 - O. CE 602 'Vine Oak'
 - F. Dark Espresso CE 602 'Stone Oak'
 - G. Hardwood Commercial Grade 3" Espresso
 - P. Dark Espresso CE 602 'Stone Oak'
 - H. La Mesa 2x6 'Pine Loyal' Light Sand Finish
 - Q. Dark Espresso CE 602 'Stone Oak'
 - R. Steel Veneer Mill Finish Aluminum
 - I. Cement/Limestone Plac. Concrete Slabs
 - T. Dan Gribble (DGR23) 'Nantucket Oak'
 - J. Cement/Limestone Plac. Concrete Slabs
 - U. Cement/Limestone Plac. Concrete Slabs
 - CEMENT PLASTER 1**
 - CEMENT PLASTER 2**
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 - CEMENT PLASTER 97**
 - CEMENT PLASTER 98**
 - CEMENT PLASTER 99**
 - CEMENT PLASTER 100**



NOTES:
 1. Access Numbers to be located above, or adjacent to drawings

FIRMITAS ARCHITECTURE & PLANNING
 504 E. MAIN STREET, SUITE C
 VANALTA, CA 94091
 M 603-644-3398
 F 603-644-3399

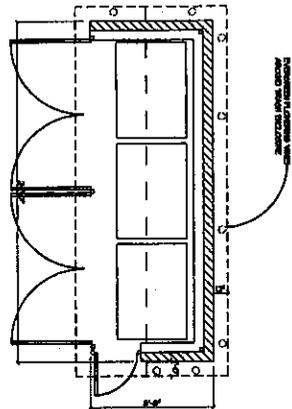
SCOTTIE S. GARDNER ARCHITECTURE & PLANNING
 2000 S. GARDNER AVENUE
 VANALTA, CA 94091
 M 603-644-3398
 F 603-644-3399

Paseo de Lutz - 400 Proj. # 122-907168
 And Camino Gonzales
 457 Gonzales Rd. Concord, California

A-17

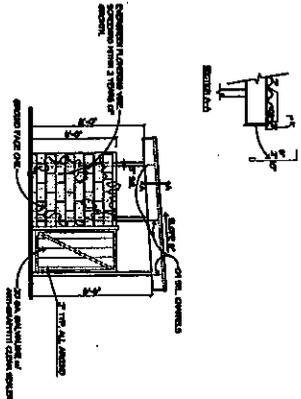
TRASH ENCLOSURE PLAN

SCALE: 1/8"=1'-0"



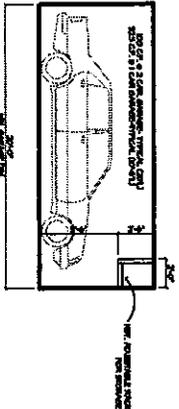
TRASH ENCLOSURE SIDE ELEV.

SCALE: 1/8"=1'-0"



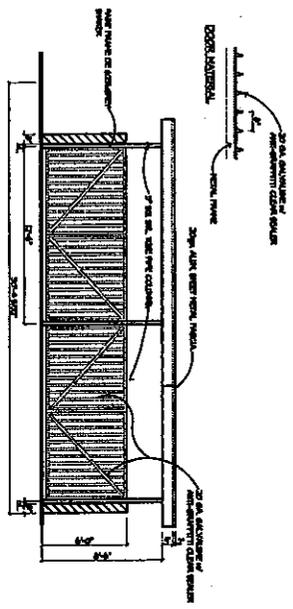
GARAGE STORAGE

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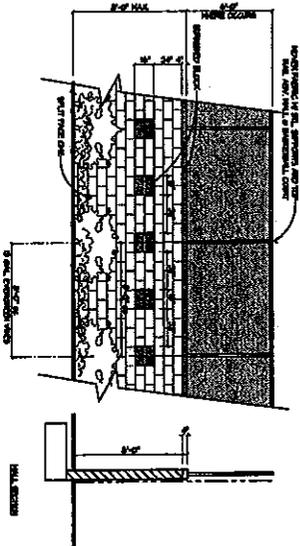
TRASH ENCLOSURE FRONT ELEV.

SCALE: 1/8"=1'-0"



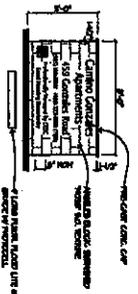
ZONE WALL

SCALE: 1/8"=1'-0"



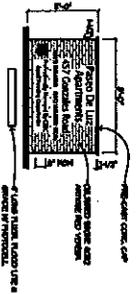
CAMINO GONZALES SIGN

SCALE: 1/8"=1'-0"



PASEO DE LUZ SIGN

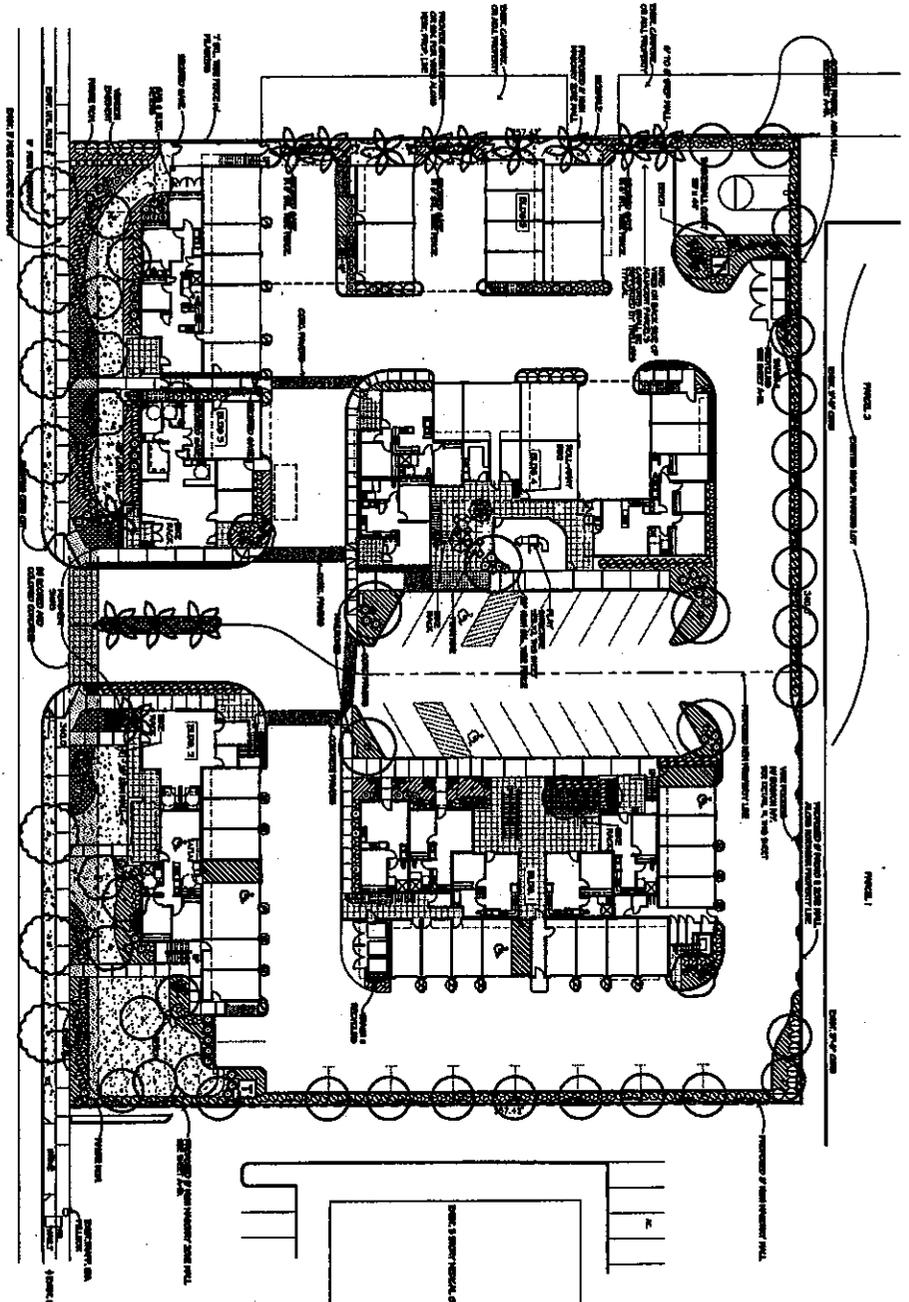
SCALE: 1/8"=1'-0"



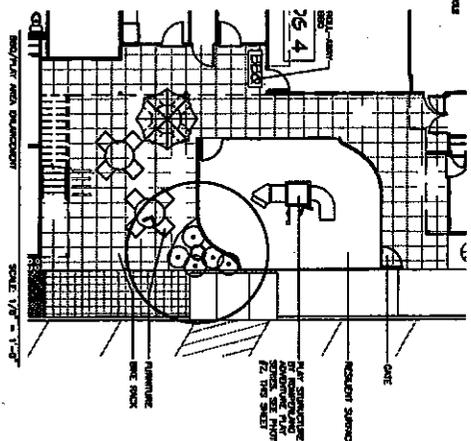
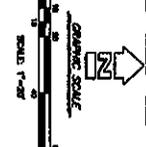
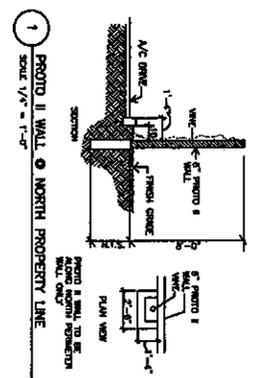
Trash Enclosure, Zone Wall and Garage Storage.

FIRMITAS ARCHITECTURE & PLANNING
 1577 GONZALES Pk. Oxnard, California
 805-461-1111
 PASEO DE LUZ - HUDPEL #12345678
 AND CAMINO GONZALES
 1577 GONZALES Pk. Oxnard, California
A-18

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GONZALES ROAD



- | SYMBOL | DESCRIPTION |
|--------|---------------|
| ○ | 10% PLANTING |
| ○ | 20% PLANTING |
| ○ | 30% PLANTING |
| ○ | 40% PLANTING |
| ○ | 50% PLANTING |
| ○ | 60% PLANTING |
| ○ | 70% PLANTING |
| ○ | 80% PLANTING |
| ○ | 90% PLANTING |
| ○ | 100% PLANTING |

SYMBOL	SIZE	COMMON NAME	REMARKS
○	3-5"	PLANTING	
○	6-8"	PLANTING	
○	10-12"	PLANTING	
○	15-20"	PLANTING	
○	25-30"	PLANTING	
○	35-40"	PLANTING	
○	45-50"	PLANTING	
○	55-60"	PLANTING	
○	65-70"	PLANTING	
○	75-80"	PLANTING	
○	85-90"	PLANTING	
○	95-100"	PLANTING	

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PROJECT NO: 07.06
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: 8/01/08

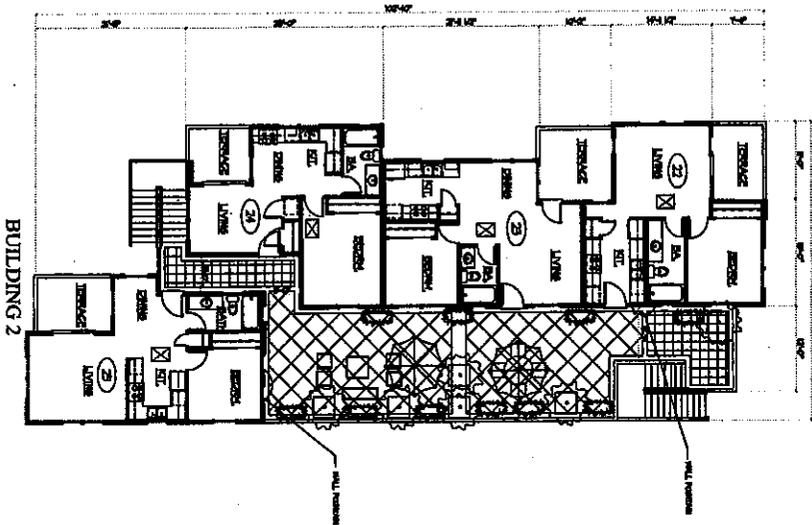
SHEET TITLE
 PRELIMINARY PLANTING PLAN

PROJECT
 457 GONZALES RD.
 OXNARD, CALIFORNIA

CLIENT
 FIRMITAS ARCHITECTURE & PLANNING
 394 E. MAIN ST., SUITE C
 VENTURA, CA 93001

NO.	DATE	DESCRIPTION

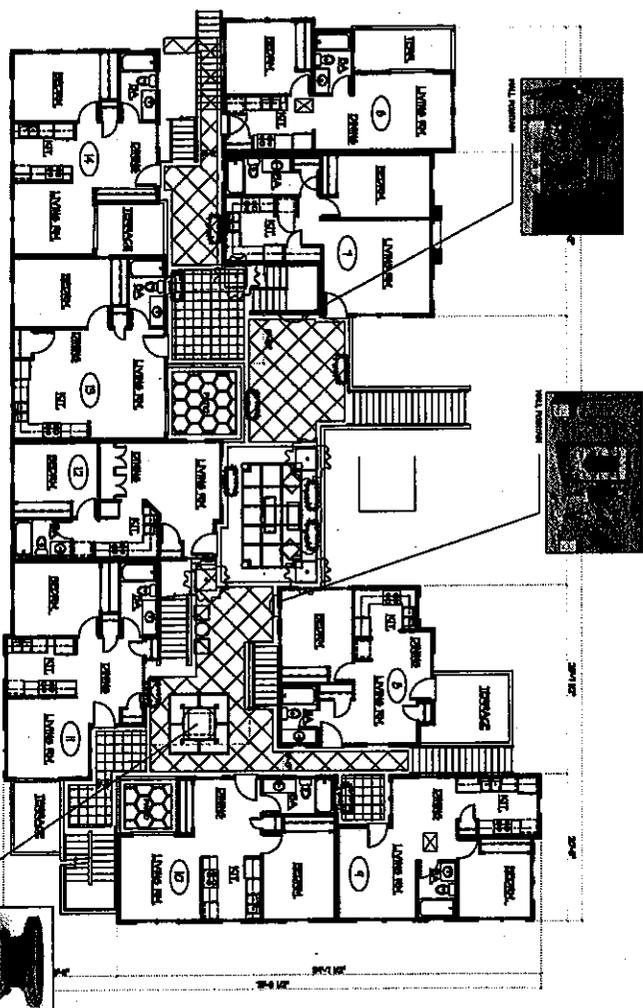
JORDAN, OLBERT & BARK
 LANDSCAPE ARCHITECTS, INC.
 1000 W. MAIN ST., SUITE 100
 OXNARD, CA 93030
 TEL: 805.461.1111
 FAX: 805.461.1112
 WWW: JOLBARK.COM



BUILDING 2

NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. REFER TO ARCHITECTURAL SPECIFICATIONS FOR MATERIALS AND FINISHES.
3. VERIFY ALL FIELD CONDITIONS PRIOR TO CONSTRUCTION.



BUILDING 1

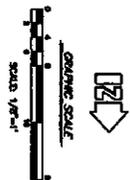
LEGEND

SYMBOL	DESCRIPTION
[Symbol]	CONCRETE
[Symbol]	ASPHALT
[Symbol]	GRAVEL
[Symbol]	PAVING
[Symbol]	LANDSCAPE
[Symbol]	PLANTING
[Symbol]	WATER
[Symbol]	SEWER
[Symbol]	ELECTRICAL
[Symbol]	MECHANICAL
[Symbol]	STRUCTURAL

PLANS

NO.	DATE	DESCRIPTION
1	5/01/08	PRELIMINARY LAYOUTS
2		
3		

NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 2. REFER TO ARCHITECTURAL SPECIFICATIONS FOR MATERIALS AND FINISHES.
 3. VERIFY ALL FIELD CONDITIONS PRIOR TO CONSTRUCTION.



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PROJECT INFORMATION

PROJECT NO:	07.58
DRAWING NO:	
CHECKED BY:	
DATE:	5/01/08

SHEET TITLE
 PRELIMINARY
 COURTYARD LAYOUTS
 BUILDINGS 1 & 2
 PROJECT
 457 GONZALES RD.
 OXNARD, CALIFORNIA

CLIENT
 FIRMITAS ARCHITECTURE
 & PLANNING
 394 E. MAIN ST., SUITE C
 VENTURA, CA 93001

REVISIONS

NO.	DATE	DESCRIPTION

JORDAN, CLIBERT & BARR
 LANDSCAPE ARCHITECTS, INC.
 1000 W. MAIN ST., SUITE 100
 VENTURA, CA 93001
 TEL: 805.241.1111
 FAX: 805.241.1112
 WWW.JCBARR.COM

EXHIBIT C

Notice of Exemption



NOTICE OF EXEMPTION

Project Description:

PLANNING AND ZONING PERMIT NOS. 08-540-02 and 08-540-03 (Planned Development Permits), 08-535-01 (Density Bonus), and 08-300-08 (Tentative Parcel Map), a request to subdivide one vacant lot currently addressed as 457 West Gonzales Road into two parcels to develop two affordable multi-family apartment complexes. Parcel 1, 0.93 acres (Paseo de Luz) proposes 24 extremely-low income units for Special Needs Housing and one on-site manager's unit. This site includes a Density Bonus request for nine units above the 16 units allowed by City Code, a request for three Density Bonus Incentives and a Planned Development Permit for zone code modifications. Thirty-nine parking spaces are proposed on Parcel 1. A reciprocal parking and access agreement will allow excess parking spaces to be used for Parcel 2 visitor parking requirements. Parcel 2, 1.03 acres (Camino Gonzalez) proposes 17 low- and very-low income units for Farmworker Housing and one on-site manager's unit. This complex includes a Planned Development Permit for zoning modifications and administrative relief from parking provisions for 9 visitor parking spaces to be shared with the development on Parcel 1. A total of 39 parking spaces would be provided. Filed by Cabrillo Economic Development Corporation, 702 County Square Drive, Ventura, CA 93003.

Finding:

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- Ministerial Project
- Categorical Exemption
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with the California Environmental Quality Act Guidelines Sections 15192 and 15194, affordable housing projects involving not more than 100 units in an urbanized area may be found to be exempt from the requirements of CEQA. The proposed project meets the criteria in 15192 and 15194. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment.

(Date)

Susan L. Martin, AICP
Planning Division Manager

EXHIBIT D

Planning Commission Resolutions (Planned Development Permits, Density Bonus Permit and Tentative Parcel Map)

RESOLUTION NO. 2009 – [PZ 08-540-02]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO.PZ 08-540-02 (PLANNED DEVELOPMENT PERMIT), TO ALLOW CONSTRUCTION OF TWENTY-FOUR AFFORDABLE SPECIAL NEEDS HOUSING UNITS AND A MANAGER'S UNIT, LOCATED AT 457 NORTH GONZALES ROAD (APN 139-0-250-035), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY CABRILLO ECONOMIC DEVELOPMENT CORPORATION, 702 COUNTY SQUARE DRIVE, VENTURA, CA 93003.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No.08-540-02, filed by Cabrillo Economic Development Corporation in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, CEQA provides a statutory exemption from the Environmental Quality Act (CEQA) pursuant to CEQA sections 15192 and 15194 for construction of affordable housing projects of less than 100 units in urban areas and all findings for this exemption can be made; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the following circumstances exist:

1. The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.
2. The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.
3. The site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this resolution.
4. The site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.
5. The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, the approval of the following zone code modifications of 25% or less is appropriate to allow construction of an affordable housing project and will not be detrimental to the public health, safety and welfare:

1. A reduced front yard setback (if ROW offer is accepted) from 25 feet to 15 feet.

2. Units (23) with storage areas smaller than the required 225 cubic feet, although additional attic space is provided.
3. Units (12) with more than the required 75 feet distance from the unit to the garage.

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves this permit subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

**STANDARD CONDITIONS OF APPROVAL
FOR LAND USE PERMITS**

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. G-1) while some are taken from environmental documents (e.g. MND-S2).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng <i>Dev/Inspectors</i>	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Public Works, Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, G-1).
2. This permit is granted for the plans dated May 7, 2009, (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, G-2)
3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements.(PL, G-3)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Developer's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, G-6)
7. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
8. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code as modified by the terms of this permit. (PL/B, G-9)
9. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
10. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
11. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
12. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
13. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
14. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

15. Before the City issues building permits or the proposed use is initiated, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)
16. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)
17. Developer shall maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, PK-4)
18. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
19. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)

LANDSCAPE SPECIAL CONDITIONS

20. Developer shall pay Quimby Fees (fees for park Acquisition and Improvement) before issuance of building permits. The amount of the fee shall be determined by the Planning Division at the time of payment (PK, PL-45). Quimby fees to be used at the Orchard Park location.
21. Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements.
22. The small landscape planters at the rear of the garage units shall not have meters, vaults, vents or other objects within the landscape planter space.
23. Landscape plans shall include a detail showing the fabric height and method of construction for fabric screen on wall at basketball court location.
24. Landscape plans shall include details showing irrigation and drainage for landscape pots and landscape planters on the roof terrace locations.
25. Landscape plans shall include a cross section detail taken through the project's Gonzales Rd. frontage that shows: (1) building, (2) planter, (3) bioswale, (4) proposed trees, (5) landscape area, (6) sidewalk, and (7) Gonzales Rd. parkway. The cross section detail shall illustrate that no proposed trees are planted in the bottom of the bioswale area.

26. 18" high walls facing Gonzales Rd. are to be planted with 5 gallon vines at 10' on center spacing planted against the wall as a graffiti deterrent. In lieu of vines, 5 gallon shrubs, at appropriate spacing, could be planted.

FIRE DEPARTMENT STANDARD CONDITIONS

27. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, *F-1*)
28. All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, *F-2*)
29. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, *F-3*)
30. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, *F-4*)
31. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, *F-5*)
32. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
33. At all times during construction, developer shall maintain paved surfaces capable of handling loads of 46,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, *F-7*)
34. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
35. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
36. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, *F-11*)

37. Developer shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, *F-12*)
38. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, *F-16*)
39. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer's specifications. The detector shall be hardwired with a battery backup. (FD, *F-17*)

FIRE DEPARTMENT SPECIAL CONDITIONS

40. Fire sprinkler coverage is required for:
 - a. Patios, overhangs or any other projections that are 48" or more from the structure.
 - b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - c. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.
41. All emergency egress/Fire Department access windows or doors that serve any room that can be utilized for sleeping, shall have access to a public right-of-way without re-entering the structure.
42. Before the City issues a certificate of occupancy, the Developer shall install a Knox Box key vault at a location on the building to be determined by the Fire Department.
43. Project Plans shall be modified to reflect Fire Department needs for ground ladder access to upper floors. (These modifications to stairways were agreed upon in a meeting which took place on Feb. 17, 2007 and attended by the Project Architects, City Planning Personnel, and Fire Department Representatives.)

PLANNING DIVISION STANDARD CONDITIONS

44. The final building plans submitted by Developer with the building permit application shall depict on the building elevation sheets all building materials and colors to be used in construction. (PL/B, *PL-1*)
45. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)
46. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, *PL-3*)

47. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, PL-4)
48. Developer acknowledges that because of population limitations placed on the City by the Air Quality Management Program, approval of this permit does not guarantee that the City will issue building permits. The City's issuance of building permits may be delayed as a result of implementation of an air quality plan. (PL, PL-5)
49. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, PL-7)
50. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)
51. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
52. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, PL-8)
53. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, PL-9)
54. Developer shall provide graphic site directories at principal access walkway points. (PL/B, PL-10)
55. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, PL-11)
56. During construction, Developer shall control dust by the following activities:

- a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, *PL-12*)
57. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
 58. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, *PL-14*)
 59. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)
 60. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).
 61. Developer shall install all roof and building rain gutters and downspouts to integrate as closely as possible with building design elements, including matching adjacent building colors as closely as possible. Developer shall submit a plan and scheme for approval by the Planning Division Manager prior to issuance of building permits. (PL, *PL-18*)
 62. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for residents and service persons. Developer shall coordinate placement and design of such items accordingly, with the Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19*)
 63. Developer shall provide automatic garage door openers for all garages. (PL/B, *PL-20*)
 64. Garages closer than 23 feet to the front property line shall have sectional roll-up garage doors. (PL/B, *PL-21*)

65. Railings and enclosures for patios and balconies shall provide at least 50 percent enclosure for screening and privacy. Developer shall include details of the railings and enclosures on the construction documents. (PL/B, *PL-24*)
66. Balconies that face Gonzales Road shall be constructed with plexiglass walls to the height of the 42 inch railings to provide a noise barrier. The plexiglass walls may be in addition to solid walls shown on the plans.
67. Units that face Gonzales Road shall be provided with noise attenuation construction to reduce interior noise levels to 45dBa or less.
68. All residential dwelling unit developments shall include architectural articulation on all four sides of each unit. Such articulation shall include, but not be limited to, window treatment; trim and a variety of finishes matching front facades; and balconies, porches, and trellises. Developer shall submit elevations depicting such articulation to the Planning Division for approval prior to issuance of building permits. (PL, *PL-28*)
69. Light standards illuminating interior walkways shall be no more than eight feet high. Light shall not intrude into private living or patio areas. Light standards serving recreational areas held in common shall be no more than 15 feet high. Light shall be directed away from dwelling units. (B, *PL-30*)
70. Developer shall provide 8 foot high masonry zone walls on east and north side of the property. (PL/B, *PL-31*)

PLANNING DIVISION SPECIAL CONDITIONS

71. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
72. This permit is granted subject to the City's approval of a tentative map PZ 08-300-08 and final map and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning Division Manager and the Development Services Manager. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)
73. General condition (for all new construction and additions, except additions to a single family residence):
 - a. Developer shall participate in the City's Art in Public Places Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 13,103.

OR

 - b. Developer shall participate in the City's Art in Public Places Program, in accordance with City Council Resolution No. 13, by installing artwork on the project site prior to

occupancy of the project. Design and final location of artwork shall be approved by the Art in Public Places Committee. Artwork location(s) shall be as shown on the approved site plan and artwork shall be installed prior to occupancy of the project. The artwork shall become a permanent part of this project. Relocation of or changes to the artwork require the approval of the Planning Division Manager and Art in Public Places Committee. Developer shall maintain the artwork in good condition. (PL)

74. Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment. (PL)
75. During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time. (PL)
76. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust. (PL)
77. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall penetrate sufficiently to minimize fugitive dust during grading activities. (PL)
78. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less. (PL)
79. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (PL)
80. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways. (PL)
81. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)
82. Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include: (1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and (2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to initiation of the Phase I activities.

The contract shall include provisions in case any cultural resources are discovered onsite. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey. (PL)

83. Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a weekly, report to the Planning Division summarizing the activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permit signature. (PL)

ENVIRONMENTAL RESOURCES DIVISION

84. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.
85. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling Plan" and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the "City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed" ("Work Completed Report") and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.
86. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling to an authorized facility.

87. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer.
88. RECYCLING: Developer and operator shall install clearly labeled storage containers in the kitchen base cabinet within each unit to facilitate separate disposal of recyclable and non-recyclable waste typically generated by tenants. The location and specifications (size, materials, etc.) of such storage unit shall be shown on the construction document floor plans submitted to the City for building permits. Recycling guidelines shall be clearly posted on the door of the storage cabinet. The intent of this mitigation measure is to create a situation wherein recycling is as convenient for project tenants as disposing of trash.
89. RECYCLING: Developer and operator shall provide recycling containers near the point of use in common areas for guests and residents to dispose of their recyclable waste (examples: indoors for newspapers and beverage containers; outdoors for beverage containers). Containers used exclusively for recycling shall be clearly identified as "recycling only" with clear icons or other graphics on each container appropriate to the container's content.
90. RECYCLING: Management shall provide literature in each apartment (including on the door of the storage cabinet) explaining the importance of recycling, what can be recycled, and providing suggestions for source reduction, as well as water and energy conservation. City contacts for waste reduction, water conservation, and energy savings shall be listed in the literature.
91. RECYCLING: Management shall provide training to the tenants for separating tenant's refuse into recyclable and disposable trash.
92. RECYCLING: Management shall provide the standard 3-arrow recycling symbol on the collection container.
93. The Environmental Resources Division may require an enhanced enclosure to accommodate three bins (trash, mixed recycling, green waste) rather than a standard three cart residential system.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

94. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at the time the City issues building permits. (DS-1)
95. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall show the proposed structural section on the site improvement plans. (DS-2)
96. Developer shall have the site improvement plans prepared on standard Development Services Division mylars by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and the original ink-on-mylar plans filed with the Development Services Division. (DS-3)
97. Developer shall submit improvement plans and drainage calculations that demonstrate that storm drainage from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
98. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
99. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
100. Before connecting the project to existing sewer and water service laterals, Developer shall arrange for City staff to inspect such facilities. Developer shall make such repairs to such facilities as City staff determines to be necessary. Developer shall bring all existing water services into compliance with City standards. (DS-7)
101. Each structure shall be served by separate sewer and water services. There shall be no interconnections between structures. (DS-8)
102. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)
103. If the existing sewer lateral is larger than four inches in diameter, Developer's site improvement plans shall include an on-site sewer plan. (DS-10)
104. Where a separate loop or terminal line is required for water mains, fire hydrants or fire sprinkler systems, Developer's site improvement plans shall include an on-site water plan. (DS-11)
105. Developer shall install on-site and off-site utility services underground in accordance with City ordinances in effect at the time City issues the building permit. Services shall be installed

underground to the nearest suitable riser pole as determined by the appropriate utility service provider.
(DS-12)

106. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code and shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)
107. A civil engineer licensed in the State of California shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Such plans and documents shall include, but not be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans; a master utility plan showing the layout and location of all on-site and off-site utility improvements that serve the project; construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not accept an application for the final map or parcel map for the project or issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)
108. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
109. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no such map, then at the time of public improvement plan approval. (DS-17)
110. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, breezeways, parkways, landscaping, utilities, drainage facilities, and other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)
111. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
112. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)

113. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
114. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
115. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)
116. "Standard Specifications for Public Works Construction," latest edition, and any modifications thereto by City, and City of Oxnard Standard Land Development Specifications and all applicable City Standard Plans, shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)
117. Developer shall retain a Civil Engineer licensed in the State of California to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "as-built" plans after project completion. Developer's submittal of the certified "as-built" plans is a condition of City's final acceptance of the project. (DS-29)
118. All grading shall conform to City's grading ordinance and any recommendations of Developer's soils engineer that have been approved by the City Engineer. Developer shall conform to all applicable notes specified on the site improvement/grading plan cover sheet and grading permit. (DS-30)
119. In order to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way, Developer shall construct required drainage facilities concurrently with the rough grading operations, or with prior approval of the City Engineer, provide interim drainage improvements on a temporary basis. (DS-31)
120. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)
121. Each lot shall drain into a street, alley, or approved drain so that there will be no undrained depressions. (DS-35)

122. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consents from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project, as evidence that such landowners accept any additional water flowing over their property. (DS-36)
123. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer. (DS-38)
124. Prior to issuance of building permits, Developer shall present to the City Engineer a "Proof of Payment - Authorization for Building Permits" form issued by the Calleguas Municipal Water District. (DS-44)
125. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
126. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Before performing the tests, Developer shall obtain permits from the City Engineer. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)
127. Developer shall dedicate and improve to City standards all sidewalks, parkways, streets, alleys, and street appurtenances. City will name all streets in accordance with adopted City guidelines. (DS-49)
128. Street and road improvements shall conform to City standards and policies. Improvements shall include upgrading of existing pavement along the project frontage to City standards by removing and replacing or overlaying, as directed by the City Engineer. (DS-51)
129. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)
130. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)
131. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)

132. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)
133. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
134. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

STORMWATER QUALITY CONDITIONS

135. Developer shall comply with all National Pollutant Discharge Elimination System (NPDES) permit Best Management Practice (BMP) requirements in effect at the time of grading or building permit issuance. Requirements shall include, but not be limited to, compliance with the Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP). (DS-78)
136. Developer shall design parking lot and other drive areas to minimize degradation of stormwater quality. Using Best Management Practices (BMPs), such as oil and water separators, sand filters, landscaped areas for infiltration, basins or approved equals, Developer shall intercept and effectively prevent pollutants from discharging to the storm drain system. The stormwater quality system design shall be approved by the City Engineer prior to the issuance of a site improvement permit. (DS-81)
137. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance program ("the Program") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Program and Developer provides an executed copy for recordation. (DS-82)
138. Developer shall clean on-site storm drains at least twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning. (DS-83)
139. Developer shall maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system. (DS-84)
140. Prior to issuance of a certificate of occupancy, on-site storm drain inlets shall be labeled "Don't Dump - Drains to Ocean" in accordance with City standards. Before City issues a site improvement permit, the requirement to label storm drain inlets shall be shown on the civil engineering plans. (DS-85)

141. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall provide the City Engineer with a copy of a letter from the California State Water Resources Control Board, Storm Water Permit Unit assigning a permit identification number to the Notice of Intent (NOI) submitted by Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all additional requirements of the General Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit pollutants from the construction site entering the storm drain system. Developer shall keep the SWPPP updated to reflect current site conditions at all times and shall keep a copy of the SWPPP and the NOI on the site and make them available for City or designated representative to review upon request. (DS-86)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

142. Developer shall construct proposed walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot asphalt to clearly identify pedestrian areas. (DS)
143. Developer shall upgrade the existing access ramps at the project entry driveway to meet current disabled access standards, including but not limited to, installation of truncated domes over the full width and length of the ramp. (DS)
144. Developer shall construct a minimum 7-foot wide sidewalk at all locations where the sidewalk is constructed adjacent to the front of parking spaces. (DS)
145. Developer shall provide a 10 foot wide right-of-way dedication to the City along the Gonzales Road frontage of the project. Dedication shall occur on parcel map 08-300-008 unless directed otherwise by the Development Services Manager. (DS)
146. Developer shall not locate any private facilities (e.g. sewer and storm drain lines) within the proposed 10 foot wide right-of-way dedication along Gonzales Road. (DS)
147. Developer shall provide onsite fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil engineer's improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over the waterline using standard City format. (DS)
148. Developer shall provide calculations demonstrating that proposed onsite hydrant system is capable of meeting City fire flow requirements. (DS)
149. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends a minimum of 15 feet from the face of the enclosure. (DS)

150. Developer shall design the grass filter swales and porous pavement in accordance with the Technical Guidance Manual for Stormwater Quality Control Measures. Design calculations shall be included in the project drainage report. (DS)
151. Developer's engineer shall provide City with written confirmation that they have reviewed the landscape construction drawings within the NPDES grass filter swale areas and that the proposed landscaping conforms to SQUIMP standards for grass filter swales. (DS)
152. Developer shall provide a 6 inch minimum vertical drop between the flow line of the parking lot concrete gutter and the flow line of the grass filter swale at each location where stormwater enters the filter swale. The transition between gutter flow line and swale flow line shall be constructed similar to a concrete ribbon gutter. (DS)
153. Developer shall install a perforated underdrain below all grass filter swale constructed with a longitudinal slope of less than 1%. Underdrain shall connect to a point of safe discharge as approved by the Development Services Manager. (DS)
154. Prior to issuance of a site improvement permit, Developer shall provide evidence of the recordation of a reciprocal access and drainage agreement (or similar document) between the proposed parcels of Parcel Map 08-300-08. (DS)
155. Developer shall construct trash enclosures with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Development Services Division or as approved by the Development Services Manager. Developer shall finish the trash enclosure to match the major design elements of the main structure. The finish and roof appearance shall be indicated on the building plans and are subject to approval by the Planning Division. The location and configuration of trash enclosures shall be reviewed and approved by the Environmental Resources Division. All refuse bins on the site shall be stored in an approved trash enclosure. No objects other than refuse bins may be stored in the trash enclosure without the written permission of the Environmental Resources Division. (DS)
156. If Developer proposes to phase construction of structures associated with Planning and Zoning Permits 08-540-002 and 08-540-003, Development Services Manager shall determine the site improvements that are required with each phase. Improvements with the first phase shall include vehicular access for fire and refuse vehicles that does not require vehicle backup. Improvements shall also include a complete onsite fire hydrant system. (DS)

POLICE SPECIAL CONDITIONS

157. Developer shall submit and the Police Chief or designee shall approve a security and lighting plan prior to the issuance of a building permit. The lighting plan shall include a photometric study that integrates the site's approved landscaping plan (if any). The integrated photometric/landscaping plan will indicate the specific location and canopy size of fully mature trees thereby highlighting potential landscape/lighting conflicts in the future.

- a. Metal halide lamps or those that provide quality color rendition are required.
- b. Unless otherwise permitted, all exterior features shall be flat lens, full cut-off design.

158. Compliance with the Outdoor Lighting Code & Guideline is required.

- (a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
- (b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the following exceptions:
 - 1. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 - 2. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
- (c) Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of May, 2009, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary

RESOLUTION NO. 2009 – [PZ 08-540-03]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO.08-540-03 (PLANNED DEVELOPMENT PERMIT), TO ALLOW CONSTRUCTION OF SEVENTEEN AFFORDABLE FARMWORKER HOUSING UNITS AND ONE MANAGER'S UNIT LOCATED AT 457 NORTH GONZALES ROAD (APN 139-0-250-035), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY CABRILLO ECONOMIC DEVELOPMENT CORPORATION, 702 COUNTY SQUARE DRIVE, VENTURA, CA 93003.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No.08-540-03, filed by Cabrillo Economic Development Corporation in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, CEQA provides a statutory exemption from the Environmental Quality Act (CEQA) pursuant to CEQA sections 15192 and 15194 for construction of affordable housing projects of less than 100 units in urban areas and all findings for this exemption can be made; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the following circumstances exist:

1. The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.
2. The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.
3. The site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this resolution.
4. The site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.
5. The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, the approval of the following zone code modifications of 25% or less is appropriate to allow construction of an affordable housing project and will not be detrimental to the public health, safety and welfare:

1. A reduced side yard setback from 7 feet 5 inches to 7 feet 2 inches.

2. Providing 25 % interior yard area rather than the required 30% and providing 1,875 square feet of open area rather than the required 2,500 square feet.
3. Two units with less than the required 700 square feet and four units with less than the required 900 square feet.
4. Units (12) with storage areas smaller than the required 225 cubic feet, although additional attic space is provided.
5. Six units with more than the required 75 feet distance from the unit to the garage.
6. Two second floor units have balconies/patios that do not meet the minimum 10 ft dimension.

WHEREAS, in approving Administrative Parking Relief to allow nine guest parking spaces to be provided on the adjacent property to the east, known as Paseo de Luz (PZ 08-540-02) with a reciprocal parking and access agreement, the Planning Commission finds that the site plan:

1. Preserves the intent of the parking ordinance;
2. Provides sufficient parking to serve the intended use; and
3. The modification will not be detrimental to the public health, safety or welfare.

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves this permit subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

**STANDARD CONDITIONS OF APPROVAL
FOR LAND USE PERMITS**

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Public Works, Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated May 7, 2009, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, *G-3*)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Developer's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, G-6)
7. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
8. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code and modified by the terms of this permit. (PL/B, G-9)
9. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
10. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
11. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
12. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
13. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
14. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

15. Before the City issues building permits or the proposed use is initiated, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, *PK-2*)
16. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, *PK-3*)
17. Developer shall maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, *PK-4*)
18. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, *PK-5*)
19. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, *PK-6*)

LANDSCAPE SPECIAL CONDITIONS

20. Developer shall pay Quimby Fees (fees for park Acquisition and Improvement) before issuance of building permits. The amount of the fee shall be determined by the Planning Division at the time of payment (PK, PL-45). Quimby fees to be used at the Orchard Park location.
21. Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements.
22. The small landscape planters at the rear of the garage units shall not have meters, vaults, vents or other objects within the landscape planter space.
23. Landscape plans shall include a detail showing the fabric height and method of construction for fabric screen on wall at basketball court location.
24. Landscape plans shall include details showing irrigation and drainage for landscape pots and landscape planters on the roof terrace locations.

25. Landscape plans shall include a cross section detail taken through the project's Gonzales Rd. frontage that shows: (1) building, (2) planter, (3) bioswale, (4) proposed trees, (5) landscape area, (6) sidewalk, and (7) Gonzales Rd. parkway. The cross section detail shall illustrate that no proposed trees are planted in the bottom of the bioswale area.
26. 18" high walls facing Gonzales Rd. are to be planted with 5 gallon vines at 10' on center spacing planted against the wall as a graffiti deterrent. In lieu of vines, 5 gallon shrubs, at appropriate spacing, could be planted.

FIRE DEPARTMENT STANDARD CONDITIONS

27. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, *F-1*)
28. All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, *F-2*)
29. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, *F-3*)
30. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, *F-4*)
31. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, *F-5*)
32. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
33. At all times during construction, developer shall maintain paved surfaces capable of handling loads of 46,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, *F-7*)
34. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)

35. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
36. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, *F-11*)
37. Developer shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, *F-12*)
38. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, *F-16*)
39. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer's specifications. The detector shall be hardwired with a battery backup. (FD, *F-17*)

FIRE DEPARTMENT SPECIAL CONDITIONS

40. Fire sprinkler coverage is required for:
 - a. Patios, overhangs or any other projections that are 48" or more from the structure.
 - b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - c. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.
41. All emergency egress/Fire Department access windows or doors that serve any room that can be utilized for sleeping, shall have access to a public right-of-way without re-entering the structure.
42. Before the City issues a certificate of occupancy, the Developer shall install a Knox Box key vault at a location on the building to be determined by the Fire Department.
43. Project Plans shall be modified to reflect Fire Department needs for ground ladder access to upper floors. These modifications to stairways were agreed upon in a meeting which took place on Feb. 17, 2007 and attended by the Project Architects, City Planning Personnel, and Fire Department Representatives.

PLANNING DIVISION STANDARD CONDITIONS

44. The final building plans submitted by Developer with the building permit application shall depict on the building elevation sheets all building materials and colors to be used in construction. (PL/B, *PL-1*)

45. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)
46. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, *PL-3*)
47. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)
48. Developer acknowledges that because of population limitations placed on the City by the Air Quality Management Program, approval of this permit does not guarantee that the City will issue building permits. The City's issuance of building permits may be delayed as a result of implementation of an air quality plan. (PL, *PL-5*)
49. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, *PL-7*)
50. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)
51. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
52. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, *PL-8*)
53. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, *PL-9*)

54. Developer shall provide graphic site directories at principal access walkway points. (PL/B, *PL-10*)
55. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, *PL-11*)
56. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, *PL-12*)
57. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
58. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, *PL-14*)
59. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)
60. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).
61. Developer shall install all roof and building rain gutters and downspouts to integrate as closely as possible with building design elements, including matching adjacent building colors as closely as possible. Developer shall submit a plan and scheme for approval by the Planning Division Manager prior to issuance of building permits. (PL, *PL-18*)
62. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for residents and service persons.

Developer shall coordinate placement and design of such items accordingly, with the Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19*)

63. Developer shall provide automatic garage door openers for all garages. (PL/B, *PL-20*)
64. Garages closer than 23 feet to the front property line shall have sectional roll-up garage doors. (PL/B, *PL-21*)
65. Railings and enclosures for patios and balconies shall provide at least 50 percent enclosure for screening and privacy. Developer shall include details of the railings and enclosures on the construction documents. (PL/B, *PL-24*)
66. Balconies that face Gonzales Road shall be constructed with plexiglass walls to the height of the 42 inch railings to provide a noise barrier. The plexiglass walls may be in addition to solid walls shown on the plans.
67. Units that face Gonzales Road shall be provided with noise attenuation construction to reduce interior noise levels to 45dBA or less.
68. All residential dwelling unit developments shall include architectural articulation on all four sides of each unit. Such articulation shall include, but not be limited to, window treatment; trim and a variety of finishes matching front facades; and balconies, porches, and trellises. Developer shall submit elevations depicting such articulation to the Planning Division for approval prior to issuance of building permits. (PL, *PL-28*)
69. Light standards illuminating interior walkways shall be no more than eight feet high. Light shall not intrude into private living or patio areas. Light standards serving recreational areas held in common shall be no more than 15 feet high. Light shall be directed away from dwelling units. (B, *PL-30*)
70. Developer shall provide 8 foot high masonry zone wall on north side of the property. (PL/B, *PL-31*)
71. Developer shall pay Quimby Fees (fees for park acquisition and improvement) before issuance of building permits. The amount of the fee shall be calculated by the Planning Division, and verified by the Parks Division at the time of payment. (PK/B, *PL-36*)

PLANNING DIVISION SPECIAL CONDITIONS

72. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or common areas, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)

73. This permit is granted subject to the City's approval of a tentative map PZ 08-300-08 and final map and recordation of the final map as well as the development of PZ 08-540-02 (known as Paseo de Luz). The City shall issue building permits for this project only after recordation of the final map, and certificate of occupancy for PZ 08-540-02, unless otherwise approved by both the Planning Division Manager and the Development Services Manager. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)
74. General condition (for all new construction and additions, except additions to a single family residence):
 - a. Developer shall participate in the City's Art in Public Places Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 13,103.
 - OR
 - b. Developer shall participate in the City's Art in Public Places Program, in accordance with City Council Resolution No. 13,103 by installing artwork on the project site prior to occupancy of the project. Design and final location of artwork shall be approved by the Art in Public Places Committee. Artwork location(s) shall be as shown on the approved site plan and artwork shall be installed prior to occupancy of the project. The artwork shall become a permanent part of this project. Relocation of or changes to the artwork require the approval of the Planning Division Manager and Art in Public Places Committee. Developer shall maintain the artwork in good condition. (PL)
75. Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment. (PL)
76. During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time. (PL)
77. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust. (PL)
78. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less. (PL)
79. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and

excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (PL)

80. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways. (PL)
81. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)
82. Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include: (1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and (2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to initiation of the Phase I activities.

The contract shall include provisions in case any cultural resources are discovered onsite. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey. (PL)

83. Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a weekly report to the Planning Division summarizing the activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permit signature. (PL)

ENVIRONMENTAL RESOURCES DIVISION

84. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or

disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.

85. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling Plan" and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the "City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed" ("Work Completed Report") and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.
86. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling to an authorized facility.
87. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer.
88. RECYCLING: Developer and operator shall install clearly labeled storage containers to facilitate separate disposal of recyclable and non-recyclable waste typically generated by tenants. The location and specifications (size, materials, etc.) of such storage unit shall be shown on the construction document floor plans submitted to the City for building permits. Recycling guidelines shall be clearly posted on the door of the storage cabinet. The intent of this mitigation measure is to create a situation wherein recycling is as convenient for project tenants as disposing of trash.
89. RECYCLING: Developer and operator shall provide recycling containers near the point of use in common areas for residents to dispose of their recyclable waste (examples: indoors for newspapers and beverage containers; outdoors for beverage containers). Containers used exclusively for recycling shall be clearly identified as "recycling only" with clear icons or other graphics on each container appropriate to the container's content.
90. RECYCLING: Management shall provide literature in each apartment (including on the door of the storage cabinet) explaining the importance of recycling, what can be recycled, and providing suggestions for source reduction, as well as water and energy conservation. City contacts for waste reduction, water conservation, and energy savings shall be listed in the literature.

91. RECYCLING: Management shall provide training to the janitorial staff for separating tenant's refuse into recyclable and disposable trash.
92. RECYCLING: Management shall provide separated recyclable and non-recyclable trash. Visual aids shall include a general list of mixed recyclables accepted and the standard 3-arrow recycling symbol on the collection container. (P-11)
93. The Environmental Resources Division may require an enhanced enclosure to accommodate three bins (trash, mixed recycling, green waste) rather than a standard three cart residential system.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

94. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at the time the City issues building permits. (DS-1)
95. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall show the proposed structural section on the site improvement plans. (DS-2)
96. Developer shall have the site improvement plans prepared on standard Development Services Division mylars by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and the original ink-on-mylar plans filed with the Development Services Division. (DS-3)
97. Developer shall submit improvement plans and drainage calculations that demonstrate that storm drainage from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
98. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
99. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
100. Before connecting the project to existing sewer and water service laterals, Developer shall arrange for City staff to inspect such facilities. Developer shall make such repairs to such facilities as City staff determines to be necessary. Developer shall bring all existing water services into compliance with City standards. (DS-7)

101. Each structure shall be served by separate sewer and water services. There shall be no interconnections between structures. (DS-8)
102. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)
103. If the existing sewer lateral is larger than four inches in diameter, Developer's site improvement plans shall include an on-site sewer plan. (DS-10)
104. Where a separate loop or terminal line is required for water mains, fire hydrants or fire sprinkler systems, Developer's site improvement plans shall include an on-site water plan. (DS-11)
105. Developer shall install on-site and off-site utility services underground in accordance with City ordinances in effect at the time City issues the building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)
106. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code and shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)
107. A civil engineer licensed in the State of California shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Such plans and documents shall include, but not be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans; a master utility plan showing the layout and location of all on-site and off-site utility improvements that serve the project; construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not accept an application for the final map or parcel map for the project or issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)
108. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
109. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no such map, then at the time of public improvement plan approval. (DS-17)

110. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, breezeways, parkways, landscaping, utilities, drainage facilities, and other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)
111. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
112. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)
113. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
114. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
115. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)
116. "Standard Specifications for Public Works Construction," latest edition, and any modifications thereto by City, and City of Oxnard Standard Land Development Specifications and all applicable City Standard Plans, shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)
117. Developer shall retain a Civil Engineer licensed in the State of California to ensure that the construction work conforms to the approved improvement plans and specifications and to

- provide certified "as-built" plans after project completion. Developer's submittal of the certified "as-built" plans is a condition of City's final acceptance of the project. (DS-29)
118. All grading shall conform to City's grading ordinance and any recommendations of Developer's soils engineer that have been approved by the City Engineer. Developer shall conform to all applicable notes specified on the site improvement/grading plan cover sheet and grading permit. (DS-30)
 119. In order to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way, Developer shall construct required drainage facilities concurrently with the rough grading operations, or with prior approval of the City Engineer, provide interim drainage improvements on a temporary basis. (DS-31)
 120. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)
 121. Each lot shall drain into a street, alley, or approved drain so that there will be no undrained depressions. (DS-35)
 122. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consents from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project, as evidence that such landowners accept any additional water flowing over their property. (DS-36)
 123. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer. (DS-38)
 124. Prior to issuance of building permits, Developer shall present to the City Engineer a "Proof of Payment - Authorization for Building Permits" form issued by the Calleguas Municipal Water District. (DS-44)
 125. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
 126. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Before performing the tests, Developer shall obtain permits from the City Engineer. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)

127. Developer shall dedicate and improve to City standards all sidewalks, parkways, streets, alleys, and street appurtenances. City will name all streets in accordance with adopted City guidelines. (DS-49)
128. Street and road improvements shall conform to City standards and policies. Improvements shall include upgrading of existing pavement along the project frontage to City standards by removing and replacing or overlaying, as directed by the City Engineer. (DS-51)
129. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)
130. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)
131. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)
132. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)
133. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
134. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

STORMWATER QUALITY CONDITIONS

135. Developer shall comply with all National Pollutant Discharge Elimination System (NPDES) permit Best Management Practice (BMP) requirements in effect at the time of grading or building permit issuance. Requirements shall include, but not be limited to, compliance with the Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP). (DS-78)
136. Developer shall design parking lot and other drive areas to minimize degradation of stormwater quality. Using Best Management Practices (BMPs), such as oil and water separators, sand filters, landscaped areas for infiltration, basins or approved equals, Developer shall intercept and effectively prevent pollutants from discharging to the storm drain system. The stormwater

quality system design shall be approved by the City Engineer prior to the issuance of a site improvement permit. (DS-81)

137. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance program ("the Program") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Program and Developer provides an executed copy for recordation. (DS-82)
138. Developer shall clean on-site storm drains at least twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning. (DS-83)
139. Developer shall maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system. (DS-84)
140. Prior to issuance of a certificate of occupancy, on-site storm drain inlets shall be labeled "Don't Dump - Drains to Ocean" in accordance with City standards. Before City issues a site improvement permit, the requirement to label storm drain inlets shall be shown on the civil engineering plans. (DS-85)
141. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall provide the City Engineer with a copy of a letter from the California State Water Resources Control Board, Storm Water Permit Unit assigning a permit identification number to the Notice of Intent (NOI) submitted by Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all additional requirements of the General Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit pollutants from the construction site entering the storm drain system. Developer shall keep the SWPPP updated to reflect current site conditions at all times and shall keep a copy of the SWPPP and the NOI on the site and make them available for City or designated representative to review upon request. (DS-86)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

142. Developer shall construct proposed walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot asphalt to clearly identify pedestrian areas. (DS)
143. Developer shall upgrade the existing access ramps at the project entry driveway to meet current disabled access standards, including but not limited to, installation of truncated domes over the full width and length of the ramp. (DS)
144. Developer shall construct a minimum 7-foot wide sidewalk at all locations where the sidewalk is constructed adjacent to the front of parking spaces. (DS)
145. Developer shall provide a 10 foot wide right-of-way dedication to the City along the Gonzales Road frontage of the project. Dedication shall occur on parcel map 08-300-008 unless directed otherwise by the Development Services Manager. (DS)
146. Developer shall not locate any private facilities (e.g. sewer and storm drain lines) within the proposed 10 foot wide right-of-way dedication along Gonzales Road. (DS)
147. Developer shall provide onsite fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil engineer's improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over the waterline using standard City format. (DS)
148. Developer shall provide calculations demonstrating that proposed onsite hydrant system is capable of meeting City fire flow requirements. (DS)
149. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends a minimum of 15 feet from the face of the enclosure. (DS)
150. Developer shall design the grass filter swales and porous pavement in accordance with the Technical Guidance Manual for Stormwater Quality Control Measures. Design calculations shall be included in the project drainage report. (DS)
151. Developer's engineer shall provide City with written confirmation that they have reviewed the landscape construction drawings within the NPDES grass filter swale areas and that the proposed landscaping conforms to SQUIMP standards for grass filter swales. (DS)
152. Developer shall provide a 6 inch minimum vertical drop between the flow line of the parking lot concrete gutter and the flow line of the grass filter swale at each location where stormwater enters the filter swale. The transition between gutter flow line and swale flow line shall be constructed similar to a concrete ribbon gutter. (DS)

153. Developer shall install a perforated underdrain below all grass filter swale constructed with a longitudinal slope of less than 1%. Underdrain shall connect to a point of safe discharge as approved by the Development Services Manager. (DS)
154. Prior to issuance of a site improvement permit, Developer shall provide evidence of the recordation of a reciprocal access and drainage agreement (or similar document) between the proposed parcels of Parcel Map 08-300-08. (DS)
155. Developer shall construct trash enclosures with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Development Services Division or as approved by the Development Services Manager. Developer shall finish the trash enclosure to match the major design elements of the main structure. The finish and roof appearance shall be indicated on the building plans and are subject to approval by the Planning Division. The location and configuration of trash enclosures shall be reviewed and approved by the Environmental Resources Division. All refuse bins on the site shall be stored in an approved trash enclosure. No objects other than refuse bins may be stored in the trash enclosure without the written permission of the Environmental Resources Division. (DS)
156. If Developer proposes to phase construction of structures associated with Planning and Zoning Permits 08-540-002 and 08-540-003, Development Services Manager shall determine the site improvements that are required with each phase. Improvements with the first phase shall include vehicular access for fire and refuse vehicles that does not require vehicle backup. Improvements shall also include a complete onsite fire hydrant system. (DS)
157. Prior to issuance of a site improvement permit, Developer shall provide evidence of the recordation of a reciprocal access and parking agreement with the adjacent property owner, which agreement shall specify that the City is a third-party beneficiary thereto and that the agreement shall not be amended or terminated without the City's written consent. (DS-102)

POLICE SPECIAL CONDITIONS

158. Developer shall submit and the Police Chief or designee shall approve a security and lighting plan prior to the issuance of a building permit. The lighting plan shall include a photometric study that integrates the site's approved landscaping plan (if any). The integrated photometric/landscaping plan will indicate the specific location and canopy size of fully mature trees thereby highlighting potential landscape/lighting conflicts in the future.
 - a. Metal halide lamps or those that provide quality color rendition are required.
 - b. Unless otherwise permitted, all exterior features shall be flat lens, full cut-off design.
159. Compliance with the Outdoor Lighting Code & Guideline is required.
 - (a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - (b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat

lens, full cut-off fixtures with the light source fully shielded with the following exceptions:

1. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 2. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
- (c) Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of May, 2009, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary

RESOLUTION NO. 2009- [PZ 08-535-01]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF DENSITY BONUS PERMIT PZ 08-535-01 AND INCENTIVES FOR AFFORDABLE HOUSING FOR THE PASEO DE LUZ HOUSING DEVELOPMENT WITH 24 AFFORDABLE UNITS AND A MANAGER'S UNIT ON PROPERTY LOCATED AT 457 NORTH GONZALES ROAD (APN 139-0-250-035), FILED BY CABRILLO ECONOMIC DEVELOPMENT CORPORATION, 702 COUNTY SQUARE DRIVE, VENTURA, CA 93003.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Density Bonus Permit 08-535-01 for the Paseo de Luz housing development, including certain incentives for affordable housing, filed by Cabrillo Economic Development Corporation, in accordance with Sections 16-410 through 16-422 of the Oxnard City Code; and

WHEREAS, CEQA provides a statutory exemption from the Environmental Quality Act (CEQA) pursuant to CEQA sections 15192 and 15194 for construction of affordable housing projects of less than 100 units in urban areas and all findings for this exemption can be made; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the following circumstances exist:

1. That the proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard, with the approval of the requested density bonus.
2. That the project meets the criteria set out in Government Code section 65915(b) as it provides 24 of 25 affordable units.
3. The applicant has provided satisfactory method to guarantee that the rental prices will be established as stated in the application.
4. The applicant has agreed to execute the agreement referred to in section 16-421 of the City Code.
5. The 24 affordable units have a proportionate number of bedrooms as other units in the development and do not differ in appearance, size and amenities from other units of the same size in the project.

WHEREAS, the Planning Commission recommends that the City Council approve the following density bonus incentives for Paseo de Luz, in accordance with Section 16-419(C) the City Code :

1. Allow interior yard space to be 15% of the lot rather than the required 30% and allow the open area to be 1,235 square feet rather than the required 2,500 square feet.
2. Allow 24 one-bedroom units to be less than the required 700 square feet and one two-bedroom unit to be less than the required 900 square feet.
3. Allow five units to have no second story balcony/patio and six units to have balconies/patios that do not meet the minimum dimension of 10 feet by 10 feet.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council grant a density bonus permit for the Paseo de Luz housing development to allow nine additional units on the site, a 56% density increase, including the incentives listed above, subject to the conditions of approval listed below.

**STANDARD CONDITIONS OF APPROVAL
FOR LAND USE PERMITS**

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic
PD	Police	B	Building Plan Checker
SC	Source Control	FD	Fire
PK	Parks	CE	Code Enforcement

GENERAL CONDITONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated May 7, 2009, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements.
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
7. This permit is granted subject to the approval of tentative parcel map PZ 08-300-08 and planned development permit PZ 08-540-02. (PL)
8. Prior to issuance of building permits, developer shall enter an agreement in a form approved by both the City Attorney and the Housing Director ensuring the continued affordability of 24 units for very low income residents which qualified the applicant for the density bonus. The agreement shall be recorded in the Office of the Ventura County Recorder. The term of the agreement shall be a minimum of thirty years. The agreement shall provide that affordable rent for 11 of the 24 very low income units shall not exceed 20% of the Area Median Income, 11 of the 24 units shall not exceed 30% of the Area Median Income, and two of the 24 units shall not exceed 50% of the Area Median Income, adjusted for family size as provided in 25 California Code of Regulations Section 6932.

The agreement shall establish specific compliance standards and specific remedies available to the City if such compliance standards are not met. The agreement shall, among other things, specify the number of very low income affordable units by number of bedrooms, standards for qualifying household incomes or other qualifying criteria, standards for maximum rents, a required annual report, and monitoring fees.
9. Developer agrees as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or and proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Developer's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, G-6)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of May, 2009, by the following vote:

Resolution 2009-
PZ 08-535-01
Page 5 of 5

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary

G/Plng/SDiaz/Gonzales Affordable/PC/Density PC Reso

RESOLUTION NO. 2009 – [PZ 08-300-08]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF A TENTATIVE PARCEL MAP (PLANNING AND ZONING PERMIT NO.08-300-08), TO CREATE TWO PARCELS FOR PROPERTY LOCATED AT 457 NORTH GONZALES ROAD (APN 139-0-250-035), SUBJECT TO CERTAIN CONDITIONS. FILED BY CABRILLO ECONOMIC DEVELOPMENT CORPORATION, 702 COUNTY SQUARE DRIVE, VENTURA, CA 93003.

WHEREAS, the Planning Commission of the City of Oxnard has considered tentative parcel map PZ 08-300-08, filed by Cabrillo Economic Development Corporation, 702 County Square Drive, Ventura, CA 93003; in accordance with Chapter 15 of the Oxnard City Code; and

WHEREAS, said tentative parcel map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, the Planning Commission finds the tentative parcel map conforms to the City's General Plan and elements thereof; and

WHEREAS, CEQA provides a statutory exemption from the Environmental Quality Act (CEQA) pursuant to CEQA sections 15192 and 15194 for construction of affordable housing projects of less than 100 units in urban areas and all findings for this exemption can be made; and

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this subdivision in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council the approval of the tentative parcel map, subject to the following conditions:

**STANDARD CONDITIONS OF APPROVAL
FOR LAND USE PERMITS**

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning
DS	Dev Services/Eng <i>Dev/Inspectors</i>	TR	Traffic
PD	Police	B	Building Plan Checker
SC	Source Control	FD	Fire
PK	Parks	CE	Code Enforcement

GENERAL CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated May 7, 2009, (“the plans”) on file with the Planning Division.
3. Developer shall complete the “Notice of Land Use Restrictions and Conditions” form, using the form provided by the City, for recording with the Ventura County Recorder. Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, *G-8*)

PLANNING SPECIAL CONDITION

4. The approved tentative map shall expire thirty-six (36) months after its approval, unless an extension is applied for and approved by the City Council pursuant to Section 15-46 of the City Code. (PL)

DEVELOPMENT SERVICES CONDITIONS:

5. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision

map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)

6. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. City shall promptly notify Developer of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)
7. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, breezeways, parkways, landscaping, utilities, drainage facilities, and other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)
8. Prior to approval of the final map or parcel map, Developer shall provide the City Engineer with written evidence from the Ventura County Clerk's Office that Developer has executed and filed with the Clerk all certificates, statements and securities required by Government Code Sections 66492 and 66493. (DS-26)
9. By title sheet dedication at the time of filing the subdivision map, Developer shall dedicate all water rights for the project property to City. (DS-39)
10. Prior to issuance of building permits, Developer shall present to the City Engineer a "Proof of Payment - Authorization for Building Permits" form issued by the Calleguas Municipal Water District. (DS-44)
11. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)

12. Prior to release of the final map or parcel map for recordation, Developer shall post a bond or other security satisfactory to the City Attorney, guaranteeing that all monuments will be set as required by the Government Code and the City Code. (DS-57)

DEVELOPMENT SERVICES SPECIAL CONDITIONS:

13. Developer shall provide a 10 foot wide right-of-way dedication to the City along the Gonzales Road frontage of the project. Dedication shall occur on the parcel map. (DS)
14. Prior to recordation of the parcel map, Developer shall provide evidence of the recordation of a reciprocal access and drainage agreement (or similar document) between the proposed parcels. (DS)
15. Prior to issuance of a site improvement permit, Developer shall provide evidence of the recordation of a reciprocal access and parking agreement with the adjacent property owner. (DS-102)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of May, 2009, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary